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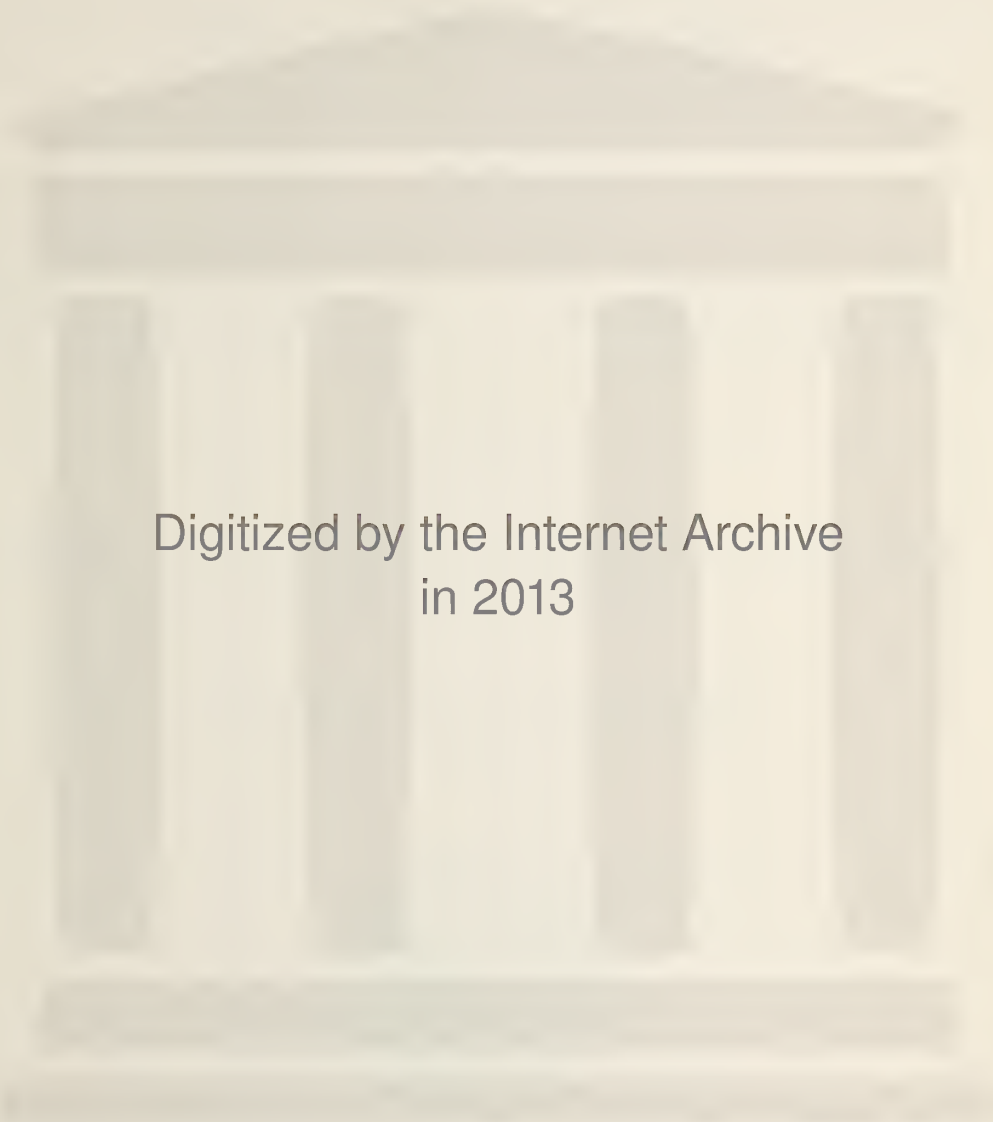
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ARCHIVES OF MARYLAND XLII

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

(20)

1740-1744

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE
MARYLAND HISTORICAL SOCIETY

BERNARD CHRISTIAN STEINER

Editor



BALTIMORE
MARYLAND HISTORICAL SOCIETY

1923



The Lord Baltimore Press
BALTIMORE, MD., U. S. A.

LETTER OF TRANSMISSION.

BALTIMORE, June 1, 1923.

To the Maryland Historical Society:

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GENTLEMEN:

Your Committee on Publication has the honor to submit the Forty-Second Volume of the Archives of Maryland, containing the Proceedings and Acts of the General Assembly of the Province at the Sessions held from 1740 to 1744.

The text of the volume is taken from the manuscript volumes of journals and laws deposited by the State with the Society and from the contemporarily printed Session Laws.

The Session of July 1740 was the third one of the Assembly elected in 1739, which is apparently the forty-fifth one in the Provincial History.

The splendid and accurate work done by Mr. Lawrence C. Wroth in his "History of Printing in Colonial Maryland," which was published in 1922, renders any bibliographical discussion of printed "Votes and Proceedings of the Lower House" or "Session Laws" unnecessary.

These printed "Votes" have not been carefully collated, but they have been examined with sufficient care to discover that at times, and intentionally, they omit passages which are found in the manuscript Journals. At other times, however, they enable corrections to be made in the manuscript Journal. Thus in the division recorded on page 101, Courts is recorded as voting on both sides of the question. The "Votes" show that Joseph Hall, whose name stood next to that of Courts on the roll call, voted in the negative, and the printer, discovering the mistake in the Journal, probably corrected it from a checked roll of the House.

The controversies between the Governor as the representative of the Proprietary on the one hand and the Lower House upon the other, are often tedious to read, and yet, because of these controversies we find that Oliver's words approve themselves as true: "Every act, word and proposal of every negotiation was suspect by the other side.

"Little things not worth a second thought, the small blunders of obscure officials, old wives' grievances, and the absurd and unintended wrongs done by pompous men, elevated themselves into national questions and became the food and nourishment of disputants upon constitutional and legal right." (Life of Alexander Hamilton, p. 27.)

Francis Bacon, in his Life of Henry VII (edited by J. R. Lumby, pp. 61 and 74), wrote that: "The lasting fruit of Parliament, which is good and wholesome laws, did prosper, and doth yet continue to this day"; and again,

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"In my judgment, it is some defect even in the best writers of history, that they do not often enough summarily deliver and set down the most memorable laws that passed in the times whereof they writ, being indeed the principal acts of peace." To the end that this reproach may be removed, as far as writers upon Maryland history are concerned, the materials are provided through printing of the Acts of the General Assembly in these volumes.

It is a toilsome task to work one's way through the volumes of Proceedings to the Assembly, but unless such work is successfully prosecuted by students with a kindly feeling toward the participants in the discussions we cannot have impartial history. T. R. Glover's words (Christian Tradition, p. 72) are very true that: "*Sine ira et studio* is the phrase of Tacitus—yet without anger and partisanship, but not without sympathy, we must go quietly and slowly about our work; hurry is fatal in historical study."

The people of Maryland always insisted that England take Lord Bacon's advice to Buckingham as to colonization: "That the people sent thither be governed according to the laws of this realm, whereof they are and still must be subjects." (Spedding's Bacon, II, 161, Am. ed.)

Governor Ogle convened on July 7 the Second Session of the Assembly in 1740 and it continued in Session until July 29. The Assembly was largely concerned with the details of the expedition to the West Indies and the provision of the necessary funds for it and reenacted the law regulating Ordinaries or Taverns. Masters of vessels which carried away the troops were indemnified from any suits which might arise because the soldiers were in debt. Considerable acrimony arose between the houses as to the appointment of officers to pay the charges for the expedition. The Upper House desired to have Tasker excused and objected to Dr. Carroll, as a recent convert from the Roman Catholic Church, but finally yielded on both points. The right of the Proprietary to Ordinary Licenses also caused contention. The first draft of the bill had been prepared by the Upper House, was passed by that body and sent to the Lower House, which resented this proceeding, as an infringement of its right to introduce money bills. In the recrimination about Dr. Carroll, the Upper House (page 19) made some interesting remarks about the hostility of the Irish towards England. When the bill was finally passed, the Upper House asked the Lower to join it in a congratulatory address to the King. The Lower House refused to do this; but pettishly sent its own address, because the Upper House refused to pass promptly some bills much desired by the Lower House.

Chalmers, in his Introduction to the "History of the Revolt in the Colonies" (vol. II, p. 203), spoke of Maryland's generosity in King George's War and of her sending her sons to conquer the Spaniards.

Josias Green, by Act, was given encouragement for printing the laws. Several temporary laws were revived. A bounty was to be given on linen cloth for the "encouragement of industry," and the Proceedings at the Session of the next year show that avail was made of this act. Six languishing debtors in as many County "Goals," as it is always spelled, are enlarged. One of these debtors, Michael Taylor, had evidently made threats against another man and must be bound over to keep the peace.

These are the enactments, but bitter controversies occurred over proposed laws which failed and these controversies led to a spirited interchange of messages between the Governor and the Lower House. The latter may often have been right in principle, but certainly showed a niggling and petty spirit. In his opening address, Ogle urged, as he had previously, the importance of a magazine and of an amendment of the militia law. Soon the struggle was renewed over the disposal of the three penny export tax per hogshead of tobacco for the purchase of arms and ammunition. The Committee appointed to inspect the state of the Fund for this purchase made a long report with figures running back to 1717. Nothing was finally done toward complying with Ogle's recommendation.

The Journal of Accounts aroused bitterness concerning fees to the Secretary, the Attorney General, and the Clerk of the Council. Some of these charges related to the past struggle with Pennsylvania. On the boundary with Pennsylvania, there was little controversy at this time. The Pennsylvania Archives refer to the meeting of the Commissioners in 1740 (Series I, vol. 1, pp. 595, 623) and to troubles in Cecil County and in Delaware (Pa. Col. Recs. I, p. 395). In the midst of all this squabbling and of a series of attacks which the Lower House was making to the Governor against the gentlemen of the Upper House, Henry Trippe, a Delegate from Dorchester County, was expelled by the Lower House from its membership, because he accepted the position of Deputy Commissary. Thereupon Ogle promptly prorogued the Assembly.

There were eight divisions during the Session. On July 14, by vote of 28 to 5 (three of the negatives coming from Calvert County, one from Talbot and one from Dorchester), the House voted to pass the bill for the encouragement of industry. It will be remembered that the membership of the House was four Delegates from each of twelve counties and two from Annapolis, but that the Speaker only voted in a case of tie. On the same day, by a vote of 26 to 8, the bill was passed for the trial of matters of fact in the Counties where they arise. This was distinctly an anti-proprietary measure and the two Annapolis delegates, Gordon and Dulany, voted in the negative, together with Harris of Kent, Denton and Hall of Anne Arundel, Smith and Hall of Calvert and Sheredine and Caswell of Baltimore.

On July 16, two divisions occurred. By a vote of 10 to 31, the Lower House refused to agree to a conference proposed by the Upper to consider irregularities in recording laws, etc. Harris, Denton, Hanson of Charles, King, Henry and Gale of Somerset, and Hooper and Trippe of Dorchester joined the Annapolis Delegates in the minority. On the same day, the vote not to excuse Tasker from the Commissionership above referred to was 17 to 21. Waughop of St. Mary's, Calder of Kent, Denton and Hall of Anne Arundel, Middleton and Hanson of Charles, King and Henry of Somerset, Robert Lloyd and Thomas of Talbot, Hooper and Trippe of Dorchester, Edward Sprigg of Prince George's, Wilkinson and Wright of Queen Anne's joined the Annapolis delegates in the minority which was willing to comply with the Upper House's desire.

Three divisions occurred on July 21. Trippe was expelled by a vote of 26 to 14, even two of his fellow Delegates from Dorchester voting against him. His supporters were: Harris and Calder of Kent, Smith of Calvert, King, Henry and Gale of Somerset, Robert Lloyd and Thomas of Talbot, Hooper of Dorchester, Colvill and Rumsey of Cecil, Wright of Queen Anne's and the Annapolis Delegates.

When the vote was taken as to whether the duty of 6 pence should cease entirely or only as to a moiety in case of peace, the latter proposition, favored by the Proprietary party, won by a vote of 25 to 15. The stubborn anti-proprietary men were Read and Swann of St. Mary's, Wilson of Kent, Carroll of Anne Arundel, Weems of Calvert, Courts and Smallwood of Charles, Goldsborough of Talbot, Caswell, Mathews and Gist of Baltimore, the two Spriggs and Wootton of Prince George's and Pemberton of Queen Anne's.

On the third division, in a close vote of 23 to 18, the largest one of the Session, the Proprietary party won again that the tax should be levied for three years and for no shorter time. The minority was increased by Hall of Anne Arundel who had not voted before and by Pearce of Cecil and Wilkinson of Queen Anne's, who changed sides.

In the last division of the Session on July 24, the Lower House decided by a vote of 26 to 6, not to give the Proprietary (instead of the County Schools) the forfeitures, under the act for the ascertaining of the gauge of barrels. Outside of the Annapolis Delegates, the Proprietary party, in a thin house, could only muster Calder of Kent, Henry of Somerset, and Rumsey and Colvill of Cecil.

A letter from the Governor of Maryland, concerning Indians, written on August 20, 1740, is printed in the Pennsylvania Colonial Records (IV, p. 601).

The Session held from May 26 to June 22, 1741, was the last one of the Assembly elected in 1740 and the last one over which Ogle presided. In his

introductory address, he urged the continuance of the fund for purchasing arms and ammunition and the importance of a "Wise and prudent amendment of our laws." The arms and ammunition question led to an animated contest which resulted in the failure to pass any law and the spreading on the Journal of the Lower House the text of the act it wished passed. The paper money had about been exhausted and the Assembly was obliged to lay a tax appointing a joint committee to assess and pay the public charges. Provision was also made for repairing the public buildings. County Courts were continued, where attorneys practising before them were Delegates. The Court House of Calvert County should receive repairs.

Disagreement between the Houses led to the failure of a considerable number of bills desired passed by the Lower House.

Report was made by the Commissioners of the expense of the West Indies' expedition.

Several private or quasi-private acts were passed: enabling the Visitors of Kent County School to lease their land, validating title to lands, paying for the payment to their owners by the State of the value of two criminal slaves who had died in jail. The inhabitants of Queen Anne Parish in Prince George's County were directed to pay for repairing their chapel of ease. Seven debtors languishing in Anne Arundel County jail were released, as were one in Cecil County and one in Somerset County. Charles Sewall was granted the reversion of the Choptank Indian reservation in Dorchester County.

Committees were appointed, six in number, varying in membership from 5 to 9. About ten members served on no committee. Wilson served on three committees and eleven other Delegates served on two committees each. Three members had died during the year: Mathews of Baltimore, Edward Wright of Queen Anne's and Brannock of Dorchester and in place of them, Jacob Hindman came from Dorchester, Thomas Hammond from Queen Anne's and Aquila Paca from Baltimore. Henry Trippe was reelected. On June 11, Philip Hammond from Anne Arundel, the Speaker, resigned on account of his son's illness, retaining his membership, and was succeeded by Robert King of Somerset, a member of the Proprietary party.

There were eight divisions during the Session. On May 30, the Lower House refused, by a vote of 23 to 11, to adopt an unstated amendment to an entry approving the conduct of their agent in presenting their address to the King. The Proprietary party voted for the amendment: viz., Calder and Harris of Kent, Smith of Calvert, Hanson of Charles, King of Somerset, Hooper of Dorchester, George, Colvill and Rumsey of Cecil, Gordon of Annapolis and Wright of Queen Anne's.

On June 3, the House voted to censure the Sheriffs of Prince George's County for taking undue fees, by a vote of 25 to 13. The Proprietary party voted in the negative: viz., Harris and Hynson of Kent, Hanson of Charles, King, Henry and Gale of Somerset, Hooper of Dorchester, George, Colvill and Rumsey of Cecil, Wright of Queen Anne's and the Annapolitans. On June 8, by the close vote of 22 to 20, the House voted to prohibit the exportation of Indian corn that year, because of a scarcity of grain. The majority included the four St. Mary's members, Harris of Kent, Carroll of Anne Arundel, Smith, Weems and Brome of Calvert, the four delegates from Charles, Stoughton of Somerset, Thomas of Talbot, Sheredine of Baltimore, Ennalls of Dorchester, the Spriggs and Magruder from Prince George's, Gordon from Annapolis and Wilkinson from Queen Anne's. Sixteen of the 20 negative votes came from the Eastern Shore.

On June 9, in the largest vote of the Session, 23 voted to send for the Prince George County justices to censure them for levying tobacco instead of money, while 20 voted nay. The negative was a full Proprietary party vote: Read, Waughop and Aisquith of St. Mary's, Calder, Harris and Hynson of Kent, Hanson and Middleton of Charles, King, Henry and Gale of Somerset, Thomas of Talbot, Hooper and Trippe of Dorchester, George, Rumsey and Pearce of Cecil, Wright of Queen Anne's and the Annapolitans.

On June 13, the House voted, 20 to 19, to give Sewall reversion of 2032 and not 1396 acres of land. The majority included the Proprietary party and more: viz., the four from St. Mary's, Calder of Kent, Carroll, Hall and Denton of Anne Arundel, Smith of Calvert, Hanson and Middleton of Charles, Robert Lloyd of Talbot, Hooper of Dorchester, George and Colvill of Cecil, Wootton and Osborn Sprigg of Prince George's, Wright of Queen Anne's and the Annapolitans. When the Committee on Aggrievances reported that excessive charges were made by ferry keepers, the Annapolitans found only Henry of Somerset voting with them against the adoption of the report, while 36 voted for it, on June 15.

On the same day, by decisive votes of 31 to 8 and 32 to 7, the House refused to put the question of laying an export tax, to pay for arms, or the bill for the relief of debtors. Middleton of Charles, Gale and Henry of Somerset, Trippe of Dorchester and the Annapolitans voted in the minority in both divisions, joined by Hanson of Charles and Hooper of Dorchester in the former one and by Edward Sprigg of Prince George's in the latter one.

Bladen's first legislative session occurred between September 21 and October 29, 1742. It was a new legislature. Aisquith, Courts, Denton, Gist, Hanson, Harris, Henry, Hooper, Hynson, Middleton, Read and Rumsey had been succeeded by John Griffith and Robert Chesley in St. Mary's, John Gresham and

Richard Gresham in Kent, Thomas Worthington in Anne Arundel, Richard Harrison, William Wilkinson and Robert Yeates in Charles, John Goldsborough in Talbot, Philemon Lecompte and Jacob Hindman in Dorchester, Nicholas Hyland in Cecil, James Martin in Somerset, and Daniel Scott in Baltimore. Shortly after the Session began, Daniel Dulaney was called up into the Upper House, which was presided over by Benjamin Tasker, and Benjamin Tasker, Jr., was elected from Annapolis to succeed him. For Speaker, the Lower House passed over two former Speakers who were members, viz., Philip Hammond and Robert King, and elected Edward Sprigg of Prince George's. I cannot find the reason for this except that Hammond was seldom present and King may have preferred to be at the head of the important Committee on Laws. Further, I have no explanation of the failure to reelect about a fourth of the last House. There was an unusual duplication of family names in the membership of the House.

In his opening speech, Bladen recommended a reenactment of the law for the purchase of arms and ammunition, but failed to secure this, through disagreement between the two Houses. The Lower House felt that its bill for this purpose was so important that it spread it upon its journal. The manuscript journal was not always printed, *e. g.*, the financial papers in the Fiddinnan case and the address proposed to the Lord Proprietary but voted down are not in the Printed Votes. On the other hand, these votes are of value to correct the Journal, whose copyist was more careless than usual.

Comparatively few bills failed, although the proposal to divide Prince George's County and to establish a new one in the western part of the Province, to be named Frederick, after the heir apparent to the throne and to the Proprietorship, was not successful, largely because of a difference as to the true line of division.

Dr. Carroll's report on page 343 shows how uncertain it is to predicate that anything was printed, because it was so ordered. On the other hand, the votes in regard to printing the first act of the Session show in what time Jonas Green could print a pamphlet.

The report on the condition of the Annapolis jail shows how wretched it was and incidentally informs us that at least six of the nine white persons (who were imprisoned there together with two negroes) were poor debtors, for they were freed by an act passed at this session, which act released a considerable number of such unfortunate persons, the list comprising at least one from every county.

The Governor brought the Indian affairs to the attention of the Assembly which voted to appropriate money for presents to the Northern Indians and approved of negotiations being entered into for a treaty with them. The good

will of the Assembly towards Governor Bladen was shown by their voting a tax on tobacco exported from the Province to provide for his support and by passing a new act for building a governor's house, under which act the structure was begun which is now McDowell Hall in St. John's College.

The Proprietary had vetoed an act for the assessment and payment of public dues passed in 1741, but news of the dissent did not arrive in the Province, until the Sheriffs had collected a large part of the tax levied by that law. The Assembly promptly passed, and Bladen signed early in the Session, an act which comes very close to a nullification of the Proprietary's action.

The members of the Lower House straggled in more slowly than usual and it was nearly the end of September, when all had arrived. The attendance at the divisions was good, however, and the general harmony between the two Houses caused an unusually large amount of legislation to be enacted.

One new County, Worcester, was established out of the seaboard portion of Somerset County and two new parishes were formed: All Saints' being constituted out of the western portion of Prince George's Parish in Prince George's County and St. Thomas' out of St. Paul's Parish, in the backwoods of Baltimore County.

Bladensburgh, in Prince George's County, was laid out and named in honor of the Governor. Charlestown was laid out on North East River in Cecil County, in the expectation that it would become the county seat, and Snow Hill Town was laid out anew to become the county seat of the new Worcester County.

The law for the speedy recovery of small debts, the act for the relief of poor debtors, and that for the relieving of the colonists from aggrievances in the prosecution of suits at law were revived, while an important act, passed for the advancement of justice, was intended to diminish delays and undue technicality in the court proceedings. The same law fixed the appearance fees of attorneys.

Another act, which did not receive the Proprietary's approval, provided for the trial of matters of fact in the several counties where they should arise, in order to prevent the parties from being compelled to attend the Provincial Court in Annapolis. This act provided a method of selecting jurors.

The act for repairing damages in Provincial and County Records received a supplement and a continuance of actions in the Provincial Court was granted, as the concurrent legislative session conflicted with its sessions.

Sheriffs were forbidden to continue the ill practice of demanding tobacco, instead of bills of credit or coin, in payment of taxes and other legal dues—a proof that a considerable part of the Province was not engaged in raising the staple crop. A similar act, caused by the emergency of a poor crop of

Indian corn, forbade the export of that crop for a year. The Public Statutes for the year were completed by an act for the assessment and payment of the Public Charge.

Local or private acts authorized the repair of St. Mary Anne Parish Church in Cecil County, cleared the title to tracts of land in Somerset and Anne Arundel County, exempted from Provincial levies the workmen in a copper mine and enabled the Vestry of St. Anne's Parish to lease land in Annapolis.

The Upper House refused to approve a bill for issuing writs of replevin out of County Courts. A bill to enlarge Baltimore Town and to build a bridge over Jones' Falls, as well as a bill for raising a fund for payment of an agent in Great Britain, and one for limitation of officers fees failed, as did several private petitions.

The Lower House appointed five standing Committees having a membership of from 5 to 8. As was usual, some of the members were omitted from committees and others were on more than one. The customary rules of the House were adopted and the resolves as to the rights of the Colonists were spread upon the Journal, as had been done, from time to time, for the past fifteen years.

Twenty-one divisions occurred—an unusually large number. On September 29, by a vote of 24 to 22 (the total membership being 50, of which number was the Speaker, who only voted in case of a tie), the House voted to prohibit the exportation of wheat. The four delegates from St. Mary's, Weems of Calvert, Sheredine of Baltimore, the three delegates present from Dorchester, all those from Talbot, Somerset, two of the four from Anne Arundel, all those from Prince George's and two from Queen Anne's constituted the majority. On October 1, the bill prohibiting the exportation of wheat and Indian corn passed by a vote of 28 to 18. Brome of Calvert, Scott and Caswell of Baltimore, and Carroll of Anne Arundel, changed their votes; Tasker had been elected and voted aye, but Sheredine was absent. The county grouping on these divisions is noticeable.

On October 6, the House decided, by a vote of 12 to 29, not to summon the Calvert Justices of the Peace to censure them. The affirmative votes were cast by Chesley of St. Mary's, the Greshams of Kent, Williamson of Charles, Smith and Hall of Calvert (the other two Calvert delegates being absent), Hall and Worthington of Anne Arundel, Magruder and Wootton of Prince George's, and Hammond of Queen Anne's—a scattering vote.

On October 7, the delegates voted, 27 to 16, to permit the introduction of a bill to lay a tax for the benefit of the Governor on tobacco exportations. The negative votes were cast by Wilson of Kent, all the delegates from Charles, Anne Arundel and Prince George's, Hall of Calvert, Hyland of Cecil, and Pemberton and Hammond of Queen Anne's.

By a vote of 14 to 30, on October 13, the House again refused to call the Calvert Justices of the Peace before it for censure. The affirmative votes came from Swann and Chesley of St. Mary's, the Greshams of Kent, Williamson of Charles, Smith and Hall of Calvert (the others being again absent), Sheredine of Baltimore, Stoughton of Somerset, Carroll, Hall and Worthington of Anne Arundel and Magruder and Wootton of Prince George's. Upon the further question as to whether a resolution of censure should be entered upon the Journal, 31 voted in the affirmative and 13 in the negative. The negative votes were those of the affirmative on the previous motion except that Waughop and Swann of St. Mary's changed sides, as did Carroll of Anne Arundel.

The House voted on October 15, by 25 to 17, to offer the Proprietary an equivalent for his quit rents, the negative votes being cast by the St. Mary's delegates, those present from Anne Arundel and Prince George's, by Smallwood and Yeates of Charles, Smith and Hall of Calvert, Colvill of Cecil and the Goldsboroughs of Talbot. In general, the tobacco raising portions of the Province opposed the measure. In a second division on the same day, the House voted not to pass a bill to regulate ferries, by a vote of 15 to 29. In favor of the bill were the two Greshams of Kent, Smallwood, Harrison and Yeates of Charles, and the delegates present from Calvert, Anne Arundel and Prince George's, together with Caswell of Baltimore. The third division on that day determined that "the support of government" should not be added to quit rents. Only six delegates: the Greshams, George of Cecil, Scott of Baltimore, Ennalls of Dorchester, and Tasker of Annapolis voted for the proposal but 37 voted nay.

On October 18, the House refused to allow former Governor Ogle some fees as chancellor, by a vote of 7 to 30, only Calder of Kent, Colvill of Cecil, King, Stoughton and Martin from Somerset, Wright of Queen Anne's and Gordon of Annapolis voting for the appropriation. On the next day, the House voted not to consider whether the accounts for officers fees should be allowed as charged under the Lord Baltimore's proclamation, by a vote of 25 to 16. The dissentients were Swann of St. Mary's, Richard Gresham (they voted separately for once) and Wilson of Kent, all the Charles delegates except Smallwood, Smith and Brome of Calvert, the three Baltimore delegates present, Carroll and Worthington of Anne Arundel, Magruder and Wootton of Prince George's, and Wilkinson of Queen Anne's. The question was then put as to whether any alteration should be made in the report of the Committee of Accounts as to officers fees and it was decided to uphold the report, by a vote of 23 to 18. The nays were Swann of St. Mary's, all the Kentish men except Calder, all the Charles delegates except Smallwood, Smith and Brome of Calvert, the three Baltimore delegates present, Carroll and Worthington from

Anne Arundel, the three Prince George's delegates present, and Wilkinson from Queen Anne's.

A proposal to lay an export tax on tobacco for the benefit of the County Schools was rejected on October 20, by a vote of 27 to 9, in a thin House. The friends of education were Yeates of Charles, Gale and Martin of Somerset, Colvill and George of Cecil, Caswell of Baltimore, Sprigg of Prince George's and the two Annapolitans.

Jonas Green was ordered to be paid for printing the Votes of the House by a vote of 21 to 17 on October 22. The opposition consisted of Chesley of St. Mary's, Worthington of Anne Arundel, Weems of Calvert, Hall of Charles, King of Somerset, the Goldsboroughs of Talbot, the three delegates present from Dorchester, Scott of Baltimore, the three delegates present from Prince George's, Pemberton and Wright of Queen Anne's.

On the next day, a vote of 14 to 25 registered the refusal to allow the Secretary's fees as stated in the Journal of Accounts. Those who voted to allow it were the Greshams and Wilson of Kent, Carroll and Worthington of Anne Arundel, the three Charles delegates present, Lecompte of Dorchester, Sheredine of Baltimore, the three men present from Prince George's, and Wilkinson of Queen Anne's.

On the 25th, by a vote of 27 to 12, the House approved the Journal of Accounts, dissent being voiced by the Greshams and Wilson of Kent, Carroll and Worthington of Anne Arundel, the three men present from Charles, Sheredine of Baltimore, Magruder and Wootton of Prince George's, and Wilkinson of Queen Anne's.

On the same day, by a vote of 19 to 20, the House voted to reject the draft of an address on the quit rents to the Proprietary. The Proprietary party supported the address, which was favored by Griffith of St. Mary's, the three Kentish men present, all the Somerset delegation, Thomas from Talbot, the three present from Dorchester, the three present from Cecil, Caswell and Scott from Baltimore, Pemberton from Queen Anne's, and Gordon from Annapolis.

On October 26, the House passed a bill for raising an annual revenue for the Governor, by a vote of 17 to 24. The Proprietary party voted in the negative, which comprised the full delegations from St. Mary's and Somerset, and the three present from Dorchester and from Cecil, as well as the two Annapolitans and Calder of Kent, Caswell and Scott from Baltimore, and Pemberton and Wright of Queen Anne's.

An amended address to the Proprietary, as to an equivalent for quit rents, was adopted on the 27th, by a vote of 23 to 16. The negative votes were cast by Swann of St. Mary's, Wilson of Kent, Carroll and Worthington of Anne Arundel, the three Calvert delegates present, Harrison and Yeates from

Charles, Lloyd and the Goldsboroughs from Talbot, Sheredine from Baltimore, and the Prince George's delegation.

The 27th saw a tie vote, 20 to 20, on the question of treating with the Northern Indians, which tie was broken by the Speaker's casting affirmative vote. With him were Swann of St. Mary's, Calder of Kent, the Somerset and Talbot delegations, Ennalls of Dorchester, George and Colvill of Cecil, Caswell and Scott of Baltimore, Magruder of Prince George's, Pemberton and Wright of Queen Anne's, and the two Annapolitans. The last two divisions occurred on the 28th. The first of these determined, by a vote of 17 to 18, that the County Clerks that had neglected their duty should not be sent for. All the St. Mary's men, except Chesley, voted to send for them, as did the three men present from Kent, Carroll and Hall from Anne Arundel, the three present from Calvert, Harrison and Yeates from Charles, Stoughton from Somerset, Lecompte from Dorchester, Caswell from Baltimore, and Wootton of Prince George's.

The final division determined that presents be given the Six Nations, by a vote of 22 to 16, the negative votes being those of Swann and Griffith of St. Mary's, Wilson of Kent, Hall and Worthington of Anne Arundel, Smith and Brome of Calvert, Harrison and Yeates of Charles, the three Dorchester delegates, Hyland of Cecil, Sheredine of Baltimore and Sprigg and Wootton of Prince George's.

It may be added that the entry on page 371 proves that the Provincial flag was black and yellow.

Of Thomas Bladen, who became Governor in 1742, George Chalmers wrote in his "Introduction to the History of the Revolt in the Colonies" (vol. II, p. 203) that his "vehemence made him blind to the favorite passions of others and induced all parties to wish that they might never be again ruled by a native of the Province." He was the only son of William and Anne (Van Swearingen) Bladen. He was born in 1698 and was living in London in 1720. He became Governor of the Province in 1742 and so continued until 1747. He returned to England later, became a member of Parliament for Old Sarum and died in 1780. An account of him and his family, by Dr. Christopher Johnston, is found in 5 Md. Hist. Mag. at page 297. His elder daughter (he had no sons) married the Earl of Essex and, in the hope that some of his papers might have been preserved by her descendants, the editor addressed a letter of inquiry to the present Earl of Essex, receiving a courteous reply from him under date of November 22, 1922, to the effect that "as far as I know there are no letters or papers in existence whatever" belonging to Thomas Bladen, "and as Cassiobury," the Earl's family seat "with the whole of its contents, has recently been sold, I am sure I should have come across them, if there had been." No portrait of the Countess is known.

In 1742, there was considerable alarm as to the Indians. On July 26, and August 10, Governor Ogle wrote the Virginia Council as to the danger to Maryland (15 Va. Hist. Mag., pp. 385, 388) and on the same subject we find letters in the Pennsylvania Archives, as follows: Pa. Col. Recs. IV, 573 (July 7), p. 576 (July 10), p. 586 (July 19), Pa. Arch. Fourth Series I, pp. 793 (July 10) 796 (Aug. 16). In volume 28 of the Archives of Maryland, the Council Proceedings contain much upon these Indian troubles. Upon the Nanticokes' cemeteries on the Eastern Shore, David I. Bushnell made an important contribution; in the 71st Bulletin of the Bureau of American Ethnology, p. 24, and Dr. F. G. Speck's address delivered before the Eastern Shore Society of Baltimore City in 1922 and published separately is of great value.

A convoy to Maryland in 1742 is referred to in Charles M. Andrews' "Guide to Manuscript Materials, etc.," pp. 216, 217.

The great Indian treaty at Lancaster, Pennsylvania, in 1744, is discussed by H. Frank Eshleman's Lancaster County Indians at p. 340—a book full of information as to the Susquehannocks and the Nanticokes. The Pennsylvania Archives (Series I, vol. I, p. 645, and series 4, vol. I, pp. 840 to 850) contain information as to Indian affairs in that year. The Council Proceedings contained in volume 28 of the Archives also furnish valuable information upon this subject.

There was no session in 1743, as men waited for a reply from the Proprietary to their address and this reply did not come until quite late in the year. On May 1, 1744, the Assembly met and remained in session until June 4. New committees of from five to eight members were appointed, although this was not a new Assembly. Edward Lloyd was a new member of the Council and, in the Lower House, Henry Trippe was reëlected from Dorchester; John Paca took the place of Aquila Paca (who had died) from Baltimore; John Courts was chosen to the place left by Yeates's death in Charles; David Wilson became member from Somerset, in place of Martin, who had accepted the position of sheriff in the new County of Worcester; and that County was represented by its four members, Messrs. Henry, Purnell, Robins and Selby. There was some rather obscure doubt as to the legality of the issuance of the writs upon which these Delegates were elected and two divisions were taken upon the question on May 17. By a vote of 21 to 20, the House decided to take up the question and, by a vote of 25 to 16, to seat the new members. The anti-proprietary party voted in the negative (2 from St. Mary, 3 from Kent, 3 from Anne Arundel, 3 from Calvert, 3 from Prince George's and 1 each from Charles and Queen Anne's). The new County (the act forming which the appendix shows the Proprietary was on the point of vetoing) needed considerable legislation and

acts were passed for building a prison therein, for division of a parish, for establishment of new towns, and for providing a bounty for killing bears.

The movement for a new county in the western part of Prince George's again failed, partly because of the difficulty in securing a suitable division line. Frederick County was not formed until 1748, but for convenience of reference, the editor has included its name in the Index. There was a suggestion that a new county be formed out of parts of Dorchester and Somerset, a suggestion that did not develop into an enactment, until the formation of Wicomico County in 1867.

Several acts were passed in reference to the parishes of the established church outside of Worcester County. A new parish was established in Cecil County, St. Mary's and Charles Counties were redivided, a chapel of Ease was provided in Prince George's County, and St. James Parish in Anne Arundel County was permitted to lease land. Private acts naturalized a man, gave good titles to certain tracts of land, and released poor debtors. Jonas Green was encouraged to continue in the Province, publishing its laws. A hospital and workhouse were asked at Leonardtown, but were not granted. Bladensburgh, Charlestown and Upper Marlborough received amendatory acts of the laws establishing them. Several temporary laws were revived. Stealing of horses and boats should be dealt with rigorously and cutting up tobacco plants must be punished. A composition for the quit rents for seven years was offered the Proprietary. Jennings's letters, printed in the Appendix, throw much light upon the bitterness between Gov. Bladen and the Lower House which prevailed throughout the Session; but, without these letters, the Journals of the two Houses make plain the acerbity which had succeeded to the pleasant relations formerly existing between the Governor and the Delegates. The two houses could not even agree upon a common address to King George II congratulating him upon the birth of his grandson and the marriage of the Princess Louisa. In his opening speech, the Governor urged the passage of a law imposing a tax to be expended for arms and ammunition; but the Upper House refused to accept the bill which the Lower House presented, because it provided that the proceeds of the proposed duty should be paid to Edward Sprigg, Speaker of the House, and not to the Treasurers of the Province. Thus Maryland failed (as she was about to fail so often in the next few years) to do her duty in the French War. The Lower House also refused to prepare a Militia Bill, as the Governor requested.

The Indian troubles had led to negotiations in the preceding year and three treaties of some interest are found in the appendix. There had also been negotiations with the Iroquois and Gov. Bladen was quite naturally incensed at finding that the Delegates (at the Session of 1742) had somewhat infringed

executive prerogatives by giving their representatives in these negotiations secret instructions which were not spread on their journal.

The Delegates also wished to investigate the return of the fourteen penny tax on tonnage and the shilling tax on tobacco exported, which investigation Gov. Bladen opposed. It may well be that the Delegates were not merely actuated by economy in refusing to accept an appropriation to complete the Governor's house, but that they wished to revenge themselves upon him. They also refused to pay Thomas Cresap for carrying arms to the back country, and they objected bitterly to the refusal of the Upper House and its clerk to permit the clerk of the Lower House to copy some records in the possession of the Upper House clerk.

The Upper House, on its part, refused to pay bills to pay a Provincial Agent in England, to exempt vessels owned by Marylanders from taxation, and to have trial of matters of fact in county courts.

There were 24 divisions during the Session and the party cleavage is more clearly seen than at any previous time. The delegations voted quite solidly and the delegates were present with considerable regularity except from Baltimore County, which was represented by Sheredine only, until Paca joined him well along in the Session. Together with the Worcester County members, the House now had 54 Delegates. Forty-eight was the largest vote in any division and 37 was the lowest. The Proprietary or Court Party numbered the members from Somerset, Dorchester, Cecil, Annapolis and Worcester—chiefly from the Lower Eastern Shore and the Capital. All Southern Maryland (the tobacco counties) was represented by members of the Anti-Proprietary or Country party as were Baltimore, Kent, Talbot and Queen Anne's Counties.

The first division on May 5, determined, by a vote of 30 to 12, that the duty for arms should be paid the Speaker. Only Waughop of St. Mary's, John Gresham and Calder of Kent, and Wright of Queen Anne's voted with the Somerset, Cecil and Annapolis members in the negative.

Three days later, by a vote of 24 to 20, the House voted to continue the bill for the encouragement of industry of linen manufacture. Party lines are undiscoverable. Swann of St. Mary's, the Greshams of Kent, the Calvert delegation, Smallwood and Wilkinson of Charles, the Goldsboroughs and Thomas of Talbot, the three present from Dorchester, Sheredine, Hammond of Queen Anne's and all the Worcester men (save Henry) formed the minority.

On the next day, 33 voted to insist upon the bill for arms and ammunition as sent to the Upper House, only 11 voting to yield. Waughop, Wright, John Gresham, Pearce and Hyland of Cecil, changed from the minority to the majority, but the four men from Worcester changed, so as to vote for a compromise.

On the 14th instant, the House, by a vote of 28 to 9, adopted an address, asking Gov. Bladen to pay Stephen's Bordley's claim to the land upon which the Governor's house was being built. The minority is singularly composed; all the Calvert men (except Hall who was absent), Nicholas Goldsborough of Talbot, all the Dorchester members except Lecompte, Tasker of Annapolis and Henry of Worcester. A division on the 16th resulted in 27 votes against allowing a claim of the Sheriff of Anne Arundel County for payment of fees for imprisonment of Indians. The minority comprised the 3 delegates from Somerset, Thomas and John Goldsborough of Talbot, all the Dorchester delegation except Lecompte, Colvill and George of Cecil, Osborn Sprigg of Prince George's, the two Annapolitans, Pemberton and Wright of Queen Anne's, and all the Worcester members except Purnell. There were four divisions upon May 17. In addition to the two upon the Worcester elections, by a vote of 23 to 22 (most of the Proprietary party voting in the negative) the Lower House decided to divide Prince George's County according to the bill (Osborn Sprigg from that County voted No).

On the same day, the House voted, 28 to 16, not to allow certain accounts for negotiations with the Indians. The negative was largely Proprietarian: Calder of Kent, King and Gale of Somerset (Stoughton voted nay), Thomas and John Goldsborough of Talbot, all the Dorchester men except Lecompte, Colvill and George of Cecil (Pearce and Hyland voted nay), the Annapolitans, Pemberton and Wright of Queen Anne's, and Henry and Robins of Worcester (Purnell and Selby voted nay).

On the 18th, the Prince George's County division bill passed by a vote of 28 to 12: Swann of St. Mary's, all the Kentish men except Calder, the three Anne Arundel men present (Hammond was absent most of the session), Brome of Calvert, Stoughton of Somerset, John Goldsborough of Talbot, Trippe of Dorchester, and Wootton of Prince George's cast the negative votes—I find no connection between them.

May 23 saw the House vote, 28 to 17, to offer the Proprietary an equivalent for the quitrents. The tobacco raising counties of Southern Maryland furnished the negative votes: 3 from St. Mary's, 3 from Anne Arundel, 4 from Calvert, 2 from Charles (Harrison voted aye), three from Prince George's, Nicholas Goldsborough of Talbot, and Sheredine of Baltimore were the only other negative votes.

On the 25th, the Lower House decided, by a vote of 32 to 16, not to reintroduce another bill to raise money for arms. The minority votes were cast by the Somerset delegation of 4, Trippe and Lecompte of Dorchester (Ennalls and Hindman voted no), Colvill and George of Cecil (Pearce and Hyland voted no), the 2 Annapolitans, Wright of Queen Anne's, and the 4 from Worcester.

On the next day, the offer in return for the quitrents was fixed at 2 shillings and six pence per hogshead of tobacco. The tobacco raising counties voted for the lesser rate of two and three pence, viz., 3 from St. Mary's, 3 from Anne Arundel, 4 from Calvert, Smallwood and Wilkinson of Charles (Harrison and Courts voted for the higher amount), three from Prince George's. Nicholas Goldsborough and Thomas of Talbot, and the 2 Baltimore men were the only men from the non-tobacco raising countries to vote for the lesser amount. When the House immediately divided as to whether the life of the bill should be 7 or 3 years, the longer period was adopted, by a vote of 29 to 18. Thomas of Talbot changed his vote to the majority. The others voted as before. The address asking the Proprietary to accept the Proposed substitute was then adopted by a vote of 30 to 17, Chesley of St. Mary's leaving the minority.

On the 29th, the unfriendliness which had sprung up between Bladen and the Lower House led it to reject a bill providing a duty upon tobacco for the benefit of the Governor, by a vote of 17 to 27. The minority comprised 4 each from Somerset, Dorchester, and Worcester, the 2 present from Cecil (Colvill and George), the one Annapolitan (Tasker) present, and Hammond and Wright of Queen Anne's.

On the same day, the House voted to continue the tax on ordinary licenses to pay for the Governor's house, by a vote of 27 to 16. The minority was heterogeneous: Richard Gresham and Wilson of Kent, Worthington of Anne Arundel, Hall and Brome of Calvert, the 4 from Charles, the 4 from Talbot, Ennalls of Dorchester, Wootton and Sprigg of Prince George's.

On May 30, by a vote of 24 to 20, the House voted to address the Governor on the Indian negotiations. The negative on this bitterly contested question was composed of the Court party: John Gresham of Kent, Thomas of Talbot and all the Queen Anne's delegation except Wilkinson, joined with the full delegations from Somerset, Dorchester, and Worcester and the 2 present from Cecil.

On the same day, the House voted, 28 to 17, to continue the ordinary license tax. The negative votes were cast by all the Kentish men except John Gresham, Hall and Brome of Calvert, all the 4 members from Charles, the 4 from Talbot, Ennalls of Dorchester, Sheredine of Baltimore, and Wootton and Sprigg of Prince George's. Then the address to Gov. Bladen on the Indian matters was brought in and adopted 24 to 21. Tasker had come in to the House and increased the negative vote.

A postponement to the next session of consideration of some alleged private grievances was made on March 31, by a vote of 30 to 12, the negative votes being cast by Swann and Chesley of St. Mary's, the Greshams and Wilson of Kent, Smith, Hall and Brome of Calvert, all the Charles delegates except

Courts, and Wilkinson of Queen Anne's. On the same day, by a vote of 28 to 16, the House refused to pay for the completion of the Governor's house through the issue of bills of credit. The Proprietary party voted to do so: the Somerset and Worcester delegations, all the Dorchester men except Ennalls, George and Colvill (the only men present) from Cecil, the Annapolitans and Wright of Queen Anne's.

By a vote on June 1, of 22 to 17, the House adopted a resolution to send the Governor an address upon the question of a tax for arms. The party lines were somewhat broken. In the minority, we find the Worcester men, the three present from Somerset (King was absent) Nicholas Goldsborough and Thomas of Talbot, Waughop of St. Mary's, Trippe of Dorchester (singularly his 3 colleagues voted aye), the 3 delegates present from Queen Anne's (Wilkinson was absent), Gordon of Annapolis (Tasker was absent), and the 2 men (Colvill and George) present from Cecil.

The last division occurred on June 2; when, in a thin house, it was voted by 25 to 13 to condemn a payment from the fund for arms to Col. Levin Gale of the Council for gifts to the Indians. The minority was made up of the four delegates from Somerset, the three present from Worcester (Purnell was absent), Nicholas Goldsborough of Talbot, George and Colvill of Cecil, Tasker of Annapolis (Gordon was absent), and Trippe and Lecompte of Dorchester (Ennalls voted aye).

The period was one of prosperity, the population was rapidly increasing, and a trade was springing up with the West Indies and the Azores in maize, salted provisions and lumber, so that tobacco was no longer the one staple of the Province. The preference given to Pennsylvania in allowing her, and not Maryland, to import salt directly from England naturally hindered the new trade (Chalmers Introduction to the History of the Revolt II, pp. 11, 66, 346).

In the Introduction to the first volume of the Archives, Dr. Browne, the editor, refers to the careful work done in 1882 by Miss Harrison, the Society's copyist. It is with great pleasure that the present editor refers to the careful work done by the same copyist in 1922 for the forty-second volume of Archives.

In the Appendix are printed, for the first time, certain papers contained in the Calvert papers and in the manuscript Maryland Archives, which throw light upon the history of the period. The index has been prepared by the editor, as usual.

Respectfully submitted,

SAMUEL K. DENNIS,

BERNARD C. STEINER,

JOHN M. VINCENT,

Committee on Publication.

ARCHIVES OF MARYLAND.

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PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

*At a Session held at Annapolis July 7–July 29, 1740.
Being the Second Session of the Assembly Elected in 1740.*

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

SAMUEL OGLE,
Governor.

PROCEEDINGS

THE UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Monday the seventh Day of July in the twenty sixth year of his Lordships Dominion Annoq Domini 1740

Present

His Excellency Samuel Ogle Esq^r Governor

The Hon ^{ble}	{	Major Gen ^l Matt. Tilg: Ward	}	Edmund Jenings Esq ^r
		Benjamin Tasker Esq ^r		Col James Hollyday
		Philip Lee Esq ^r		Col Charles Hammond
		George Plater Esq ^r		Col Levin Gale

U. H. J.
Calvert
Paper No.
736, page 1.
An attested
copy of the
Proceedings
made by
John Ross
and trans-
mitted to
the Lord
Proprietary
Oct. 28, 1740.
July 7

Mess^{rs} King and Sprigg from the Lower House acquaint his Excellency that there is a sufficient Number of Members met to make a House and wait his Excellencys Commands [See also U. H. J. No. 33]

Benjamin Tasker and George Plater Esq^{rs} are sent to acquaint the Lower House that his Excellency requires the Speaker and the House to attend him in the Upper House

The Speaker and Lower House attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

His Majesty having given Orders for the Equipping and setting forth of an Expedition, against the Territories of the Catholick King in the West Indies, and having been pleased to send his Royal Instruc-

U. H. J. tions to me (which I received the 29th of last Month) for raising Troops in this Province for that Expedition, I have in Obedience to his Majestys Commands called you together as soon as possibly I could, that I may acquaint you, His Majesty trusts and expects His Assembly of Maryland will provide Victuals Transports, and all Other Necessaries, for the Troops to be raised in this Province, except Cloaths Tents Arms, Ammunition and Pay, 'till their Arrival at their General Rendezvous in the West Indies, from which Time the said Transports are to enter into his Majestys Pay

p. 2 I am perswaded by the Chearfulness shewn by every Branch of the Legislature at Our last Session for his Majestys Service, that I need not attempt to add to the Weight, which his Majestys Trust and Expectations must have with you on this Occasion, Only This, that I cannot but think some further Encouragement, by Exemption from Arrests under a Particular Sum, will promote the Levies more effectually than any other Method.

A Proper Fund for the Defence of Our selves and the Province, must always be of so great Importance (especially at this time) that my Duty to his Majesty and Care of his Subjects under this Government, will never suffer me to omit any Opportunity of earnestly exhorting you, to make a suitable Provision for that Purpose, nor can you at the same time be unmindful of what I recommended at the last Session to you, Gentlemen of the Lower House, in Relation to a Magazine and an Amendment of Our present Militia Law

These Gentlemen are Points, which I judge absolutely necessary to lay before you, and press particularly at this Juncture, and they are of such Consequence that I hope you will give a Preference and Dispatch to them in the first Place, before any other Business you may think fit to proceed on; for I am well assured, you will by such a Conduct, rather than any other, approve Yourselves dutiful Subjects to his most Gracious Majesty, as well as true Friends and Guardians of the Safety, and Well being of this Province.

And for your further Satisfaction in what his Majesty expects from you, I shall lay before you the Royal Instructions sent to me on this Occasion.

Adjourned till to Morrow Morning nine of the Clock

July 8

Tuesday Morning 8th July 1740

This House met again according to Adjournment

Present as yesterday

The Honourable Major General Ward attended by the Members of this House presents to his Excellency the Address of this House which Address is as follows

To His Excellency Samuel Ogle Esq^r Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly
May it please Your Excellency

U. H. J.
p. 3

We beg Leave to return Your Excellency Our most hearty Thanks for giving us This, as early an Opportunity as could be, after Receipt of his Majestys Commands, of shewing Our chearful and sincere Disposition to answer the Royal Expectations, by contributing to the Utmost of Our Power towards the Success of an Expedition ordered by his Majesty against the Territories of the Catholick King in the West Indies; and what must add to the Alacrity of Every good Subject on this Occasion, is, the Justice of the War against Spain wherein His Majesty has declared “ He is determined to vindicate the Honour of his Imperial Crown, revenge the Injuries done to his Subjects, assert their undoubted Rights of Commerce and Navigation, and by all possible Means to attack annoy and distress a Nation that has treated his People with such Insolence and Barbarity ” In furtherance of a happy Event to an Enterprize for such glorious and laudable Purposes We shall with a Zeal becoming the most dutiful Subjects, take into Our Consideration every Method that may appear most effectual to promote his Majestys Levies in this Province, and more especially that which Your Excellency has been pleased to recommend to Us

We are truly sensible of the great Importance (especially at this time) of a Fund for Defence of the Province, and our own Safety and Preservation must certainly engage Us to concur in making with the utmost Earnestness, that Provision, which Your Excellencys Duty to his Majesty and Care of his Subjects under this Government prompt you to propose to Us; and in hopes of approving Ourselves dutiful Subjects to his Majesty, as well as true Friends of the Province, and watchful of it's Safety and Wel being, Our Endeavours shall not be wanting to give the several Points recommended in Your Excellencys Speech, the first Place in Our Consultations, as also a Dispatch preferable to all other Business whatever

M : T : Ward Presid^t

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Co^t James Harris p. 4

Read the first Time the Bill prepared in this House Entituled An Act for the Transportation of Forces and Troops to be raised in this Province for his Majestys Service in the West Indies, Ordered to lye on the Table

Read the first time the Bill prepared in this House Entituled An Act for the further Encouragement of Levies for his Majestys Service in the West Indies; Ordered to lye on the Table

Adjourned till to Morrow Morning Nine of the Clock.

U. H. J.
July 9

Wednesday Morning 9th July 1740

This House met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled an Act for the Transportation of Forces and Troops to be raised in this Province for his Majestys Service in the West Indies; passed and sent to the Lower House with the following Message and Computation by Col Gale and Col Harris

By the Upper House of Assembly 9th July 1740

Gentlemen.

As His Majesty by his Royal Instructions communicated by his Excellency to Both Houses has been pleased to command that a suitable Provision for the Forces to be raised in this Province agreeable to his Majestys Expectations should be recommended to this Assembly without Loss of time, that the Expedition ordered by his Majesty may not be retarded for Want thereof; And the members of this House having had an earlier Opportunity than your House could have of seeing his Majestys Instructions a Bill has been accordingly framed which We hope will answer the Royal Expectations, And We now send you that Bill together with the several Articles on which the Estimates in the Bill have been made, & We doubt not but that the joint Zeal of both Houses to dispatch as soon as may be what is so earnestly recommended by his Majesty for this important Service will sufficiently account for Our sending to you this Bill: And if Your House should differ with us either in the whole, or any Part of this Bill, We shall most chearfully and readily receive from your House any new Bill, or enter into any Communication with your House either by Conference or otherwise in order to frame either a new Bill or for any Alteration which may be thought expedient to be made in any Parts of this Bill

Signed 7 Order John Ross Cl Up H.

p. 5 An Estimate of the Expençe that will attend providing for a Soldier 4 Months and transporting him to the West Indies

A Hammock made of the best Oznabriggs	0..15..0
A Barrel of Pork of Beef as Provisions will probably rise	4..00..0
120£ of Bread with the Barrel to contain it	1:05..0
Cask to contain 100 Gallons of Water	0:12:6
Vessel, supposing 3 men to 2 Tons, and a Vessel to be hired at 28 shill 7 Ton 7 Month	3:14..8
Peas Flour and other Provisions for Change of Diet	0:06:0
120½ Pints of Rum and 5 Lwt Sugar	1:01:6

£11..14..8

His Excellency is pleased to communicate his Answer, to the U. H. J. Address of this House, in the following Words

Gentlemen of the Upper House of Assembly

I return you thanks for your kind and obliging Address: your Readiness to take into Consideration every Method that may appear most effectual to promote his Majestys Levies in this Province, and best answer his Royal Expectations in the Transportation of them to the Place of General Rendezvous in the West Indies, together with the just Sense you express of the Importance of a Fund for the Defence of the Province, must be a convincing Proof of your true and unfeigned Loyalty to his Majesty, and sincere Regard to the Safety and Happiness of his faithful Subjects under this Government

Sam: Ogle

Read the second time the Bill Entituled An Act for the further Encouragement of Levies for his Majestys Service in the West Indies, passed and sent to the Lower House by Col Hammond

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 10th of July 1740

July 10

This House met again according to Adjournment

Present as yesterday

p. 6

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 11 July 1740

July 11

This House met again according to Adjournment

Present as yesterday

Adjourned till two of the Clock in the Afternoon

U. H. J.

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

July 12

Saturday Morning 12 July 1740

This House met again according to Adjournment

Present as yesterday

A message from the Lower House by Mess^{rs} Sprigg and HallBy the Lower House of Assembly 12th July 1740

May it please Your Honours

There having been appointed at the Instance of your Honours a Conference of Both Houses at the last Session of Assembly for enquiring into the State and Application of £2500:00:0 Part of the money raised by Three pence Sterling p hogshead for purchasing Arms and Ammunition, and that Conference having been interrupted by the Prorogation of that Assembly before they could finish or return a Report

We are willing to appoint some Members of this House to join any that shall be nominated of Yours to enquire into that Affair that a true Report thereof being made Justice may be done to all concerned

Signed p Order M Macnemara Ct Lo H.

The following Message is sent by Cot Hollyday

By the Upper House of Assembly 12th July 1740

Gentlemen

In Answer to Your Message of this Day by Mess^{rs} Sprigg & Hall We acquaint you that on Wednesday last an Order was sent to the Executors of Col Young for the Books of the said Young as the late Treasurer of the Western Shoar wherein the Account of the Duty
p. 7 of three pence p hogshead for Arms was by him kept, as also the Account Current of the said Duty kept by him with M^r Hyde Merchant in London or attested Copies of the said Accounts, and likewise all Copies of Letters which they have relating to the said Duty with a full Resolution to apply to your House to carry on the Enquiry in Relation to the State of the Fund for Arms and Ammunition began last Session, immediately after such Bills as concern his Majestys Levies should be dispatched, and as soon as We receive the said Books and Accounts We shall give you Notice and nominate some of the Members of this House to joyn such of yours as you shall appoint to enquire into that Affair

Signed p Order John Ross Ct Up H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This House met again according to Adjournment

Present as in the Morning

The Bill prepared in this House Entituled An Act for the further Encouragement of Levies for his Majestys Service in the West Indies is brought from the Lower House by Mess^{rs} Hanson and Lloyd thus Endorsed

By the Lower House of Assembly 11 July 1740

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.

By the Lower House of Assembly 12 July 1740

Read the second time and will not pass

Signed p Order M Macnemara C^t Lo H.

The Bill prepared in this house Entituled an Act for the Transportation of Forces and Troops to be raised in this Province for his Majestys Service in the West Indies is brought from the Lower House by Mrs. Smith & Sprigg with the following Message

By the Lower House of Assembly 12 July 1740

May it please your Honours

The Bill herewith sent appearing by the Message accompanying it, to be a Money Bill, and We apprehending that all such Bills ought to take their Rise in this House, have not thought fit to give the same a Reading as usual in other Bills and therefore return it

Signed p Order M Macnemara C^t Lo H.

A Bill from the Lower House by Col King and Eleven Others p. 8 Entituled An Act for raising and issuing Money for maintaining his Majestys forces to be raised in this Province and transporting them to the Place of Rendezvous in the West Indies thus Endorsed

By the Lower House of Assembly 11 May 1740

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.

By the Lower House of Assembly 12 May 1740

Read the second time and will pass

Signed p Order M. Macnemara C^t Lo H.

Read the first time in this House and ordered to lye on the Table

Three Bills from the Lower House by Mess^{rs} Calder and Henry One Ent^d an Act to revive an Act of Assembly of this Province Entituled a supplementary Act to the Act Entituled an Act for emitting and making Current ninety thousand Pounds Current money of Maryland in Bills of Credit and to restrain some evil practices of Sheriffs under Colour of the said Act committed One Entituled An

U. H. J. Act for reviving an Act of Assembly Entitled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for reviving and continuing the supplementary Act thereto, and the Other Entitled An Act for reviving an Act of Assembly Entitled An Act for the Advancement of Justice as also an Act of Assembly Entitled a supplementary Act to the Act for the Advancem^t of Justice, severally thus Endorsed

By the Lower House of Assembly 10 July 1740

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower House of Assembly 12 July 1740

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Adjourned till Monday Morning ten of the Clock

July 14

Monday Morning 14 July 1740

This House met again according to Adjournment

Present

The hon ^{ble}	{	Major General M: Til: Ward	{	Cot James Hollyday
		Benjamin Tasker Esq ^r		Cot Charles Hammond
		Philip Lee Esq ^r		Cot James Harris
		George Plater Esq ^r		

Four Bills from the Lower House by Mess^{rs} Hooper and Weemes
 p. 9 One Entitled An Act reviving the supplementary Act to the Act laying an Imposition on Negroes and on several sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province; One Entitled An Act reviving an Act Entitled An Act to prevent the injuring Harbours within this Province, and for repealing the Act therein mentioned; One Entitled An Act for reviving an Act of Assembly of this Province Entitled An Act ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cutting cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight, and the Other Entitled An Act reviving an Act of Assembly of this Province Entitled An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace severally thus Endorsed

By the Lower House of Assembly 10 July 1740

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower House of Assembly 14 July 1740

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This House met again according to Adjournment

Present as in the Morning

Four Bills from the Lower House by Mess^{rs} Henry and Rumsey
One Entituled An Act ascertaining the Gauge of Barrels for Pork
and Beef and the Nett Quantity of Pork and Beef to be therein contained;
One Entituled An Act continuing an Act of Assembly of
this Province Entituled a supplementary Act to the Act Entituled
an Act for the more effectual Punishment of Negroes and other
Slaves and for taking away the Benefit of Clergy from certain
Offenders and to an Act Entituled An Act to prevent the tumultuous
Meeting and Other Irregularities of negroes and other Slaves and
directing the Manner of trying Slaves; One Entituled An Act continuing
an Act of Assembly of this Province Entituled an Act for
the more effectual Punishment of Certain Offenders and for taking p. 10
from them the Benefit of Clergy, and the Other Entituled an Act
for the Benefit of the Poor and Encouragement of Industry severally
thus Endorsed

By the Lower House of Assembly 10 July 1740

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.

By the Lower House of Assembly 14 July 1740

Read the second time and will pass

Signed p Order M Macnemara C^t Lo H.

A Bill from the Lower House by Mess^{rs} Hanson and Thomas
Entituled An Act for the Tryal of all Matters of Fact in the several
Counties where they have arisen or shall arise thus Endorsed

By the Lower House of Assembly 11 July 1740

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.

By the Lower House of Assembly 14 July 1740

Read the second time and will pass

Signed p Order M Macnemara C^t Lo H.

Two Bills from the Lower House by Mess^{rs} Denton and Sprigg
One Entituled An Act for the speedy and effectual Publication of
the Laws of this Province and for the Encouragement of Jonas Green
of the City of Annapolis Printer, the Other Entituled An Act to
prevent cutting up Tobacco Plants destroying of Tobacco and
Tobacco Houses and for ascertaining the Punishment of Criminals
guilty of the said Offences severally thus Endorsed

By the Lower House of Assembly 10 July 1740

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.

U. H. J. By the Lower House of Assembly 14 July 1740
 Read the second time and will pass
 Signed p Order M Macnemara Ct Lo H.

p. 11 Adjourned till to Morrow Morning ten of the Clock

July 15 Tuesday Morning 15 July 1740
 This House met again according to Adjournment

Present as yesterday

A Bill from the Lower House by Mr^s Hooper and Thomas
 Entituled An Act to revive and continue an Act of Assembly of this
 Province Entituled An Act for the better Relief of poor Debtors
 thus Endorsed

By the Lower House of Assembly 14 July 1740
 Read the first time and ordered to lye on the Table
 Signed p Order M Macnemara Ct Lo H.

By the Lower House of Assembly 15 July 1740
 Read the second time and will pass
 Signed p Order M Macnemara Ct Lo H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower House by Mess^{rs} Wootton and Read
 By the Lower House of Assembly 15 July 1740

May it please your Honours

In a Message from your House at the last Session dated the 30th
 of May last by Col^o Hammond it was intimated that some Omissions
 had been in the Recording of the Laws for some time as also some
 Irregularity in Certificates and other Writings which for want of
 time was referred to the Consideration of the then next Sessions

As this House hath at Heart Everything that may give the great-
 est Security and Credit to the Records of the Province and Compli-
 ance with the Laws in regard to them We have appointed Mr Smith,
 Mr Goldsborough and Major Sprigg to join with any Members of
 your House you shall be pleased to nominate to Examine into that
 Affair

Signed p Order M Macnemara Ct lo Ho.

The following Message is sent by George Plater Esq^r

p. 12 By the Upper House of Assembly 15 July 1740

Gentlemen.

On reading and considering your Bill sent to this House for rais-
 ing and issuing money for maintaining his Majestys Forces to be

raised in this Province and transporting them to the Place of Rendezvous in the West Indies we are of opinion that the Funds therein provided for replacing the money to be issued out of the Paper Currency Office upon this Emergency are not sufficient for that Purpose, nor that relating to Ordinary Licenses (considering the Circumstances of it) agreeable to Justice which ought to be the Rule of Our Proceedings in a Legislative Capacity as well as in all other Stations of Life; for although by the present Bill, the money appropriated to answer the Royal Expectations will be issued out of the Paper Currency Office, whether the Funds to replace that money should prove sufficient or not; yet it is certainly behoves us all to consider very well how this Bill (if passed into an Act) may be looked on hereafter, as well with Regard to that Zeal and Duty We endeavour to express by it toward his Majesty, as to that Care and Prudence We ought to have in Support of those uses, for which the Moneys to be issued out of the Office by this Bill are appropriated and in preservation of the Credit of Our Paper Currency Fund, in the first Place, the Funds in this Bill are at best very uncertain, and upon the present Calculation cannot replace the Money issued on this Occasion in a great many years, so that in the mean time the purposes (amongst which those of building a Governors House and Goals are two) to which such moneys have been appropriated, must be uncomplied with, And if a French War should happen, that part of the Fund which is to arise from the Importation of Negroes will prove of very little (if any) Value, and indeed it must seem by this Bill as if we were afraid the Fund should be too good, for although about half of the Duty arising by negroes and Irish Papists are appropriated by a Law to defray the Publick Charge yet this Bill takes Care that only the half of that half of those Duties so appropriated shall be made use of for the present Purposes: In the next Place, you will be pleased to consider how that part of the Fund which is founded on the Ordinary Licenses stands the money arising from such Licenses have been by several temporary Laws which are now p. 13 Expired usually granted either to the Proprietary Governor or Secretary, And the Attorney General of England in the year 1708 was of Opinion and reported to her late Majesty Queen Ann, that such Licenses belonged to the Secretary, and thereupon her Majesty recommended to the Assembly of this Province to pass a Law in Order to give the Fines on such Licenses to the Secretary

If it should be thought that the Fines payable on such Licenses ought of Right to be for the Benefit of any of those Persons above-mentioned, Would not Our Zeal for his Majestys Service be looked on less Fervent then We would have it imagined, since Our Chearfulness on this occasion is partly shown by making use of what the Crown judged did not belong to the Publick, but to be the Right of a particular Person; We are throughly convinced Gentlemen, that you will not find yourselves mistaken in your opinion of and Depen-

U. H. J. dance on the firm Duty and Loyalty of the present Proprietary, Governor or Secretary from whence you may Justly conclude that no Obstacle will arise on their Parts to the Passage of this Bill into a Law, so that his Majestys Expectations may be complied with from the Consideration of their Interests in opposition to his Majestys Service; But it may not be amiss to mention or unworthy your Consideration that when his Majesty is made acquainted (as no doubt he will) with the dutiful and affectionate Regard the Assembly of Maryland shews to those Royal Expectations which occasioned this meeting if perchance it should come to his Royal Ear that the Lower House of Assembly in the year 1739 insisted that the Act for regulating Ordinaries was not greatly desired, or proper or necessary to the Ease and Happiness of the province but rather that it was much complained of, in which the Upper House of Assembly could not agree with them, and that at that time the Lower House of Assembly could not be prevail'd upon to revive that Act, But that the same Lower House of Assembly in the year 1740 (without any cogent necessity or for want of a better Fund) founded part of their Liberality towards his Majestys Service on such An Act so much Complain'd of, would not such Dispositions manifest that very little Regard was had to the Goodness or Badness, usefulness or Inconvenience of the Law, but to any Opportunity or Pretence for preventing the usual Application of the money arising by such Law, should the conduct of this Assembly be considered in this Light and should it appear that this part of the Fund is by this Bill wrongfully perverted to the Benefit of the Publick, and that the Assembly has been generous at the Expence of a particular Person; May not the Case of this Bill when Passed into a Law prove to be such as may put us

p. 14 under a further and more inconvenient necessity, than at present of making a better provision, to replace the money to be issued by this Bill

These Observations We thought proper to lay before you, that We may not endeavour to shew Our Loyalty and Obedience to his Majestys Desires, by a Bill which perhaps hereafter may not prove advantageous to us in many Respects Especially as (We apprehend) we may effectually answer his Majestys Expectations by some other Fund, more certain, more serviceable to the Credit of Our paper Currency and more just in every Respect

And We farther Observe that there is not any Provision made in this Bill, to exempt the masters of the Transport Vessels from Prosecutions or Suits at Law, for transporting Soldiers enlisted, and put on Board their Vessels which may happen to be indebted or under any other Engagement, And this We think highly necessary to be done, because such Masters will neither have time nor Opportunity to enquire into the Circumstances of the Soldiers by them to be transported, nor the Soldiers have time to Comply with the Directions of the Act of Assembly in such Cases provided neither are

they under any Obligation so to do, And We think it unreasonable U. H. J.
that the Masters should be exposed to such Hazards, who will be
Obliged to Transport such Soldiers as shall be put on Board their
Vessels

M^r Tasker one of the Agents nominated in your Bill desires to
be excused from Acting in that Trust, therefore We desire Col^o Gale
may be put in his Stead, it would likewise be agreeable to this House,
if you would Name any other member of your House instead of
Doctor Carroll: It is well known what Danger his Majesty looks
upon his Kingdoms to be in, from the Irish Roman Catholicks, and
what Precautions have been taken against them at home, and what
Numbers of them are now actually in the Spanish Service making
War against the Subjects of Great Britain; And tho' We firmly hope
that the abovementioned Gentleman in leaving the Roman Catholick
Religion has abandoned all the other Principles of his Countrymen
of the said Religion and that he is as good and faithful a Subject as
any his Majesty has yet as he has but lately declared himself a
Protestant, it might seem very strange to his Majesty and the principal
Gentlemen who are intrusted with the Embarkation of the
Levies to be raised in this Province for the intended Expedition
against some of the Dominions of his Catholick Majesty in the West
Indies to find that We should think no Gentleman in this Country
properer to be employed in such Service than One who has so lately
prevail'd upon himself to take the Oaths to his Majesty

We assure you We do not mention this out of any Inclination to
have any Dispute with your House, or to cast the least Reflection p. 15
upon the Gentleman, but only to testify the Sincere Zeal We have for
his Majestys Service, and to prevent the Imputation of any Blame to
Ourselves for not taking proper Care about the fitness of the Persons
to be employed in an Affair which is so strongly recommended to
our Care by his Majesty; And We hope upon Consideration the
Gentleman himself will think He is Obliged to us for endeavouring
to Remove all Danger of any Imputation which might be thrown
upon him in Case of any ill Accident that may Unavoidably happen
in the abovementioned Service, let it be executed never so honestly
and faithfully.

There are several other Amendments which We think necessary
in this Bill, too tedious to be incerted in this Message, or in the
Endorsement to be made upon passing the Bill, We therefore desire
that Your House will be pleased to appoint some of Your Members
to join with some of the Members of Our House in a Conference, to
settle the particulars which being done, and approved of by both
Houses the Bill may be accordingly amended and passed into a Law;
But if notwithstanding what has been said, you should think fit to
persist on the Funds and the other parts as they now stand in this
Bill, We do assure you that We are so resolved in Our Loyalty and

U. H. J. Zeal to his Majesty and every part of his Service, that as the Passage of this Bill into a Law must forthwith Answer the Royal Expectations, We shall immediately give it all imaginable Dispatch, without further Considering what the Fate or Consequence of it may or may not be hereafter, when his Majestys Expectations shall have been fully answered by it Signed p Order John Ross Cl Up Ho.

Read the first time the Bill Entituled an Act for the speedy & effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

July 16

Wednesday Morning 16 July 1740

This House met again according to Adjournment

Present as in the Morning

The following Message is sent by Philip Lee Esq^r

By the Upper House of Assembly 16 July 1740

Gentlemen

In Answer to your Message of yesterday by Mess^{rs} Wootton and Read we think proper to acquaint you that as the Enquiry We proposed by Our Message the 30th of May in the last Session is a Matter
 p. 16 of Great Consequence and Importance to the Country, and as the Inspection into the Affairs therein proposed will take up more time than can be well spared during the Sitting of This or any Other Assembly, We think the Matter in Our Message proposed may be better transacted in the Interval of Assembly and have therefore appointed the honourable Co^t Levin Gale to join such Members of Your House as you have or shall appoint in Order to make the said Enquiry, and that they report the same to the next General Assembly
 Signed p Order John Ross Cl Up Ho.

The following Bills being read the first time are ordered to lye on the Table An Act for ascertaining the Gauge of Barrels for Pork and Beef and the Nett Quantity of Pork and Beef to be contained in Each Barrel An Act reviving An Act Entituled a Supplementary Act to the Act Entituled an Act laying an Imposition on Negroes and on several Sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province, An Act reviving an Act of Assembly of this Province Entituled An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace, An Act reviving [an Act] Entituled an Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned An Act for reviving

an Act of Assembly of this Province Entituled An Act ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cutting cropping and defacing Tobacco taken on board Ships or Vessels upon freight U. H. J.

An Act to revive an Act of Assembly Entituled a Supplementary Act to the Act Entituled an Act for emitting and making Current ninety thousand Pounds Current money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed; An Act reviving an Act of Assembly Entituled an Act for the Advancement of Justice as also an Act of Assembly Entituled a supplementary Act to the Act for Advancement of Justice; An Act for reviving an Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the prosecution of Suits at Law and for reviving and continuing the supplementary Act thereto An Act reviving an Act of Assembly of this Province Entituled an Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences, An Act to revive and continue an Act of Assembly of this Province Entituled An Act for the better Relief of poor Debtors An Act continuing an Act of Assembly of this Province Entituled An Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy; An Act for the Benefit of the Poor and Encouragement of Industry; An Act continuing an Act of Assembly of this Province Entituled a supplementary Act to the Act Entituled an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offenders and to an Act Entituled an Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves and directing the Manner of trying of Slaves p. 17

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by M^{rs} Magruder and Sheredine Entituled An Act for Limitation of Officers Fees thus Endorsed

By the Lower House of Assembly 15 July 1740

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower House of Assembly 16 July 1740

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this House and Ordered to lye on the Table

U. H. J. Read the first time the Bill Entituled An Act for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise and ordered to lye on the Table

A Bill from the Lower House by Mess^{rs} King and Colville Entituled An Act for the Indemnity of such Persons as shall be employed in transporting his Majestys Troops to be raised in this Province to the General Rendezvous in the West Indies thus Endorsed

By the Lower House of Assembly 16 July 1740

Read the first and second time by an Especial Order and will pass

Signed p Order M Macnemara Ct Lo H.

and the following Message.

By the Lower House of Assembly 16 July 1740

May it please Your Honours

There having been at the last Session, so much of Our time and
 p. 18 the Countrys money mispent in long and useless Messages We resolved without an absolute Necessity not to enter into the like Inter-course with Your Honours for the future; Wherefore We shall only in general observe on yours of yesterday by George Plater Esq^r that the granting of Money as well as raising the proper Fund, for the repaying it is the peculiar Privilege and Right of this House, nor have Your Honours offered any Reason sufficient to induce us to alter that Fund

We should have been glad Your Honours had pointed out wherein His Lordships Right to Fines for Ordinary Licenses consists when there is no Law in being for that Purpose; if those had been heretofore given to the Proprietaries, their Governors or Secretaries, it was doubtless as a Gratuity for Services done and favours received by the People, but surely there cannot be the like Claim for such or any other Gift or Gratuity at a time when We labour under intolerable Aggrievances, and have lost Our temporary and useful Laws unless We would buy or bargain for them, for want of which, the People are left a Prey [to] Officers and subjected to many Extortions and Inconveniencies; And altho' It may be true that an Ordinary Bill is not so necessary as you have heretofore insisted when you expected the Application of the Monies to his Lordship, yet We think the urgent Necessity of raising Money for his Majesty's Service is a sufficient Reason for such a Law at this Time.

We are truly sorry that Your Honours should so far forget that Temper and Moderation, so often recommended to both Houses, as to let private Prejudice and personal Reflections have any Share in your Publick Proceedings; as neither you nor We can judge of Mens Hearts, by any other Rule than their Actions, We cannot in Justice to the Character of Doctor Carrol but say, that from his whole Deportment as a Member of this House, as well as his Behaviour in private Life since his Recantation from the Church of

Rome, he appears to us to be a Person firmly attached to his Majestys U. H. J. Person and Government, and a strenuous Asserter of the Rights of those who have chose him One of their Representatives: Had We an Inclination, from Your Honour's Example, to be personal, We might with equal Justice turn your Argument against a Personage greatly concerned in Our Administration, we might suggest great Dangers from the Conjunction of a Sheriff who has the Command of the Posse, and the Keeper of Our Arms and Magazine in the same p. 19 County both late Converts from Popery, and who probably possess those places with Your Honours Approbation; but those things being generally looked on in any Debates either as Signs of a bad Cause, or want of Abilities to support a good One, as well as unbecoming in themselves, We shall always take Care to avoid them; and as that Gentleman lives convenient for executing the Trust reposed in him by the Bill, We see no Reason for an Alteration, being well assured he will perform it with Fidelity and Reputation

We would hope that the Gentleman of your House already nominated as an Agent, and whom We apprehend to be One of his Majestys Officers of the Customs, will not refuse to serve his Majesty on this Occasion, We do therefore not think it necessary to make any Alteration therein

We agree to Your Proposal for the Security of those who shall transport the Troops, and send you a Bill for that Purpose

As Yeilding to a Conference a Bill for raising Money might affect the Rights and Privileges of this House with Respect to such Bills, We cannot agree to it, and We are the more inclinable to avoid it at this time, lest the Warmth and Personal Prejudice so apparent in Your Message should also break out there, & so the Business which concerns his Majestys Service, and that of the Country be impeded; We therefore request Your Honours to dispatch that Bill with the Others now before you, that a speedy Period may be put to the Session
Signed p Order M Macnemara Ct Lo H.

Read the foregoing Bill the first time in this House & ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 17 July 1740

July 17

This House met again according to Adjournment

Present as Yesterday

Adjourned till two of the Clock in the Afternoon

U. H. J.

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

p. 20 Read the second time the Bill Entituled an Act for raising and issuing Money for maintaining his Majestys Forces to be raised in this Province and transporting them to the Place of Rendezvous in the West Indies; and passed and sent to the Lower House by Benjamin Tasker Esq^r with the following Message.

By the Upper House of Assembly 17 July 1740

Gentlemen

We very well approve your Resolution of not spending your time and the Countrys money in long and Useless Messages, and assure you, We have as little Inclination to do so as you have, whose Fault it was that so much was mispent the last Session We must leave to all Impartial Persons to Judge

We cannot find anything in Our former Message that has the least Tendency to deny your House the priviledge of forming Bills to raise money, and proposing proper Funds for that Purpose, and therefore are at a Loss to know, why you should make Your Message more Prolix in endeavouring to Assert that Right; but we hope, you will be so Ingenious as to allow, that when you have formed such Bills providing such Funds and sent them to Our House we have a Right and Priviledge of reading and considering them, and if We find them deficient or inconvenient, have a Negative upon them, or may propose Amendments to them and Alterations in them, or else why do you send them to us

We did not pretend that we have any Law now in force which invested his Lordship or any of his Chief Officers with a legal Right to the Fees for Ordinary Licenses, but We think We may justly assert that as the Laws heretofore made for regulating Ordinaries always have annexed those Fees as a Perquisite to his Lordship or the one or the Other of the Chief Officers without any Regard to Services done or Favours for them as you endeavour to insinuate therefore besides the opinion of the Attorney General in England mentioned in our former Message to confirm that Right we think we may truly say that his Lordship or the one or other of those Officers have an Equitable Right to claim those Fees, and that they are only deprived of them by Prejudices conceived against the Officers in the Lower House of Assembly who from time to time have refused to revive or reenact that Law and by that means suffered the Ordinaries to become Incentives to Extravagancy and Debauchery without any Restraint

p. 21 To complain of Oppressions and Aggrievances is a thing very natural and easy, but to point them out and demonstrate them to be such in the Case at present before us We believe would be very diffi-

cult unless in this particular you are pleased to mention which is the U. H. J. losing Our temporary and useful Laws and this we freely acknowledge to be a very great Aggrievance but then be pleased to give us leave to enquire how these Laws came to be lost; and we believe it will be found by the Journals of both Houses of Assembly last Session that the occasion of their being lost was the Absolute Refusal of the Lower House of Assembly to pass and send to the Upper House a Bill for raising a duty of three Pence per Hogshead on Tobacco Exported out of this Province for the purchasing Arms and Ammunition for the Defence of the Province which themselves in a Conference between both Houses had before agreed to do and which in this time of War was highly necessary to be done and this Refusal founded upon no other Reason than a bare Suggestion that the Upper House would not pass and send down the other Bills then lying before them with the same Duration which the Lower House had fixed upon them so that the true State of the Case is this the Lower House of Assembly lost all their good and useful Laws rather than pass a Bill which themselves had before agreed to, and which was equally good and useful to the whole Province in general with any of those Laws, because the Other Bills then in the Upper House were not first passed and sent to the Lower House in such a manner as they themselves directed

As to what you are pleased to say in answer to that part of Our Message relating to Doctor Carroll we shall only desire you will be pleased to consider it again and (to make a grateful Return of your good Wishes in Our Favour) We wish you would be pleased to do it with the same good Temper and Moderation you are pleased to recommend to Us and then we are sure you will not find any Signs of Personal Prejudice or unjust Reflections in it nor any thing more than a modest Recital of Matters of Fact, which we are well assured that Gentleman himself will not deny and which We thought Ourselves under a necessity of observing to you for the Reasons mentioned in that Message.

As to the Imputation you have fixed upon us of being instrumental in the Appointment of those Officers you find fault withal, We deny that ever we were any Ways concerned in the Appointment of them, and if you think them improper Persons to serve, We doubt not but upon a proper Application they will be removed, but We must at the same time Observe that there is not the same Reason to Object against them, as in the present Case because there is not the same national Antipathy Subsisting as between the English and Irish founded upon the Consideration of the Conquest of the latter by the former and the continual Subjection and Restraint the Irish are under to the English and it is well known that his Majesty and the Ministry at home think them more dangerous and take more Precautions against them than any other of his Majestys Roman Catholic Subjects. p. 22

U. H. J. To conclude notwithstanding we are sensible many things in the Bill at present before us might have been altered for the better if you had been pleased to Join with us in a conference, Yet inasmuch as you have refused so to do We have according to our promise and in compliance with our Duty to his Sacred Majesty passed the Bill as you were pleased to send it to us and herewith return it again to your House although it is very certain if you had Granted A Conference it would not have been any Infringement of Your Priviledges and to shew how inconsistent you Yourselves are in Your Proceedings We here insert a Paragraph in your Message of the 10th of May last in these Words Viz. " Had the many Objections made in Your Message " of the 8th Instant by Col^o Harris to Our Bill for issuing £2636..16..3 " for Encouragement of Persons Voluntarily enlisting themselves " in his Majestys Service been proposed as Amendments, or had you " left us any Room to expect Your Approbation of it with such " Amendments we certainly should have concurred with many of " them and the others by Conferences or otherwise might have been " so accommodated as that the Bill might have been agreed upon " and passed by both Houses " which plainly shews that your House was then of opinion that Conferences between the two Houses about Money Bills were not then thought any Infringement of your Principles and the Heads of that Bill was accordingly agreed upon by a Conference of both Houses and passed into a Law

Signed p Order John Ross Cl Up Ho.

Read the second time the Bill Entituled an Act for the Indempnity of such Persons as shall be employed in transporting his Majestys Troops to be raised in this Province to the General Rendezvous in the West Indies, passed, & sent to the Lower House by Col^o Harris

Adjourned till to morrow Morning ten of the Clock.

July 18

Friday morning 18 July 1740

This House met again according to Adjournment

Present as Yesterday

The following Message is sent by Col^o Hammond

By the Upper House of Assembly 18 July 1740

Gentlemen

p. 23 As Both Houses have now passed the Bill for raising and issuing Money for Maintaining his Majestys Forces to be raised in this Province and transporting them to the Place of Rendezvous in the West Indies; We are desirous (in Conjunction with Your House) to make a Congratulatory Address to the King on the Success of his Majestys Arms, which if You approve of We are ready to joyn some

of the Members of Our House with such of Your Members as you U. H. J. shall appoint as a Committee to prepare the said Address

Signed p Order John Ross Ct Up H.

The following Message is sent by Col Hollyday

By the Upper House of Assembly 18 July 1740

Gentlemen

One of the Executors of Col Young late Treasurer of the Western Shoar being come to Town with the Books of Accounts relating to the 3^d p hh^d for purchasing Arms and Ammunition, We have now appointed the honourable Col Matthew Tilghman Ward, Benjamin Tasker Esq^r and Col James Hollyday to joyn such Members of Your House as you shall appoint to enquire into the State and Application of that Fund

Signed p Order John Ross Ct Up H.

A Message from the Lower House by Mess^{rs} Denton and Wootton

By the Lower House of Assembly 18 July 1740

May it please Your Honours

We have appointed Col Robert King M^r Walter Smith, Captⁿ Thomas Sheredine, Major Edward Sprigg, M^r Vachel Denton and M^r Turnor Wootton to joyn the Members appointed by Your House to enquire into the State & Application of the Fund, relating to the 3^d p hh^d raised for purchasing Arms & Ammunition who will be ready to attend when and where Your Honours shall appoint

Signed p Order M Macnemara Ct Lo H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower House by M^r Smith and twelve Others Entituled An Act for raising and issuing Money for Maintaining his Majestys forces to be raised in this Province and transporting them to the Place of Rendezvous in the West Indies thus subscribed

18 July 1740

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this House and Ordered to be so subscribed

An Engrossed Bill from the Lower House by M^{rs} Hanson and p. 24 Smalwood Entituled An Act for the Indemnity of such Persons as shall be employed in transporting his Majestys Troops to be raised

U. H. J. in this Province to the General Rendezvous in the West Indies thus subscribed

18 July 1740

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl Lo H.

Read and assented to by this House and Ordered to be so subscribed

A Message from the Lower House by M^{rs} Magruder and Rumsey

By the Lower House of Assembly 18 July 1740

May it please Your Honours

This House has not been unmindful of congratulating His Majesty having several Days ago appointed a Committee to draw an Address for that Purpose

We cannot give a direct Answer to what is desired in Your Message of this Day by Co^t Hammond until We know the Fate of the Bills relating to the Publick Utility of the Province which have lain almost a Week on your Table

We are far from desiring a Continuation of the Differences which happened last Session, they being most disagreeable to Us and cannot but be fatal to the People, and We hope the moderation of Our Proceedings hitherto will evince Our Inclinations in this Part, But if Your Honours will be pleased to give a Passage to those Bills according to the usual Custom, so that We may have any Prospect of drawing the Sessions to a speedy and amicable Conclusion We will readily joyn with you in any Matter in Our Power that may tend to cultivate a good Understanding between the several Branches of the Legislature

Signed p Order M Macnemara Cl Lo H.

Adjourned till to Morrow Morning ten of the Clock

July 19

Saturday Morning 19 July 1740

This House met again according to Adjournment

Present as yesterday

The following Message with an Address to the King prepared in this House is sent by Philip Lee Esq^r

By the Upper House of Assembly 19 July 1740

Gentlemen

In Our Message of the 18 Instant by Co^t Hammond we desired you would be pleased to joyn with us in an Address to his Majesty to congratulate him upon the Glorious Successes of his Arms against the Spaniards, But We are surprized to find by your Answer of the same Day by Mess^{rs} Magruder and Rumsey to that Message, that instead of agreeing to joyn with us in such an Address, you tell us you cannot give a direct Answer to that Message, until you know

the Fate of the Bills relating to the Publick Utility of the Province, U. H. J. which (you say) have lain almost a week upon Our Table, what Relation the Publick Bills for this Province can have to an Address to his Majesty upon the before mentioned Occasion, or why not knowing their Fate should hinder you from joynning with us in shewing Our Loyalty to his Majesty and expressing Our Joy upon this happy Occasion, We cannot conceive; but forasmuch as We think it Our Duty to address his Majesty upon this Occasion, and as We have Reason to fear by Your Message and other Proceedings that this Session of Assembly may break up abruptly as the last did, and for that the Answer before given Us was uncertain and evasive, We hope you will be pleased to excuse Us, for now again pressing you to give Us a direct Answer whether you will joyn with Us or not, whereby We may know Your Resolution, And, if you do not think fit to joyn with Us, have time to prepare a seperate Address of Our own for that Purpose, but if you should be inclined to joyn with us in such joint Address, We have already prepared One and herewith sent it for Your Approbation

Signed p Order John Ross C^t Up H.

The Journal of the Committee of Accounts is brought from the Lower House by C^t King and four Others thus subscribed

19 July 1740

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower House by Col^o Hanson and M^r Harris

By the Lower House of Assembly 19 July 1740

May it please Your Honours

We are willing His Majesty should know the House of Delegates of Maryland are as ready as any Other of his Subjects to express their sincere Congratulations on his late glorious Success against his Enemies, and We have accordingly prepared an Address for that Purpose, We therefore think it unnecessary to joyn in that sent with Your Message this Day by Philip Lee Esq^r and therefore herewith return the same

Signed p Order M Macnemara C^t Lo H.

Adjourned till Monday Morning ten of the Clock

U. H. J.
July 21

Monday Morning 21 July 1740

This House met again according to Adjournment

Present

The honourable { Benjamin Tasker Esq^r } Cot Charles Hammond
 { Cot James Hollyday } Cot James Harris

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

Adjourned till to Morrow Morning ten of the Clock.

July 22

Tuesday Morning 22^d July 1740

This House met again according to Adjournment

Present as Yesterday with the Addition of Edmund Jenings and
Sam^l Chamberlain Esq^{rs}

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Philip Lee Esq^r

A Message from the Lower House by Mess^{rs} Henry and Harris

By the Lower House of Assembly 22^d July 1740

May it please Your Honours

In Answer to Your Message of the 16th Instant by Philip Lee Esq^r
as We were early in this, so we shall in any future Session be ready to
joyn some of Our Members with any of yours to examine into the
Affair of the Laws & which We conceive more properly to be done
in time of Session than during the Interval of Assembly

Signed p Order M Macnemara Ct Lo H.

Adjourned till to Morrow Morning ten of the Clock

July 23

Wednesday Morning 23^d July 1740

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act for the Encourage-
ment of Jonas Green of the City of Annapolis Printer and passed and
sent to the Lower House by Col Hammond

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This House met again according to Adjournment

p. 27

Present as in the Morning

An Engrossed Bill from the Lower House by M^{rs} Harris and Thomas Entituled An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer thus subscribed

23 June 1740

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo H.

Read and assented to by this House and ordered to be so subscribed

Read the Petition of Benjamin Howard of Ann Arundel County praying Leave to bring in a Bill to cutt off the Entail of a Tract of Land lying in the said County called Ropers Neck and to entail other Lands of equal Value in Lieu thereof; Read the Petition of Joseph Williams and Richard Snowden of Ann Arundel County praying Leave to bring in a Bill to cutt off the Entail of a Tract of Land called Williams Range lying in Prince Georges County and to entail other Lands of equal Value in Lieu thereof; and also Read the Petition of John Lang Rector of S^t James's Parish in Ann Arundel County praying Leave to bring in a Bill to enable him to lease the Lands bequeathed to the Use of the said Parish by James Rigby and Nicholas Terrett, for Three Lives or Twenty One Years, reserving an Annual Rent payable to the Minister of the said Parish for the time being, Referred to the Consideration of the Lower House of Assembly and sent by C^t Hollyday.

Read the Petition of the Vestrymen and Others, Inhabitants of Queen Anns Parish in Prince Georges County praying Leave to bring in a Bill to levy on the taxable Inhabitants of the said Parish seventy Pounds Currency towards compleating the Repairs of the Chappel built by M^r Henderson and his late Wife, and that the said Chappel may be deemed a Chappel of Ease of the said Parish

Read the Petition of Thomas Spalding and Catherine his Wife of S^t Marys County praying Leave to bring in a Bill to cutt off the Entail of a Tract of Land called Coopers Purchase lying in the said County and to Entail other Lands of Equal Value in Lieu thereof, the aforegoing Petitions are referred to the Consideration of the Lower House of Assembly and sent by Edmund Jenings Esq^r

Read the Petition of Michael Taylor a Languishing Prisoner in Custody of the Sheriff of Prince Georges County praying Relief, and also Read the Petition of William Mawduit of Prince Georges County Gent against Relieving the af^d Michael Taylor, Ordered that Taylors Petition be Endorsed, Referred to the Consideration of the

p. 28

U. H. J. Lower House of Assembly, and if a Bill be brought in, a Clause be added conformable to the Prayer of Mauduits Petition

Read the Petition of Nicholas Hammond a Prisoner for Debt in Ann Arundel County Goal praying Leave to bring in a Bill to free his Body from future Arrests for such time and in such manner as shall be thought reasonable, Referred to the Consideration of the Lower House, and all sent by Philip Lee Esq^r

Adjourned till to Morrow Morning ten of the Clock

July 24

Thursday Morning 24 July 1740

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bills following Viz. An Act reviving an Act of Assembly of this Province Entituled an Act to prevent cutting up Tobacco Plants destroying Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals guilty of the said Offences; An Act continuing an Act of Assembly of this Province Entituled an Act for the more effectual Punishment of certain Offences and for taking from them the Benefit of Clergy; An Act continuing an Act of Assembly of this Province Entituled a supplementary Act to the Act Entituled an Act for the more effectual Punishment of Negroes and Other Slaves and directing the Manner of trying of Slaves, and passed and sent to the Lower House by Samuel Chamberlain Esq^r

Read the second time the Bills following Viz. An Act reviving an Act Entituled an Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned; An Act reviving an Act Entituled a supplementary Act to the Act Entituled an Act laying an Imposition on Negroes and on several Sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province; An Act for reviving an Act of Assembly of this Province Entituled An Act ascertaining the Gauge and Tare of Tobacco hh^{ds} and to prevent cutting cropping & defacing Tobacco taken on board Ships or Vessels upon Freight, & passed, and sent to the Lower House by Col Harris.

Read the second time the Bill Entituled An Act ascertaining the Gauge of Barrels for Pork and Beef and the Nett Quantity of Pork and Beef to be contained in Each Barrel, and will pass with the following Amendments, the Gauge of the Barrels to be Thirty One Gallons and an half, in the 2^d Line of 2^d Page from the Word, professing, to the Words, set up, in 5th Line of the same Page to be left out, and the following Words to be inserted, that shall willingly and knowingly make or set up, or cause to be made or set up after the said Nine and twentieth Day of Septem^r in 10th Line of 5th Page instead of the Words, Use of the County School where the Offence

shall be committed, put Right Honourable the Lord Proprietary his U. H. J. Heirs and Successors for and towards the better Support of this Government, in the last Line of the same Page instead of Three say One, in the first Line of 6th Page leave out, or any Two of them, in 2^d Line instead of, are, put, is, in the same Line instead of, them made or any One of them, put him made, in 3^d Line leave out the Words, or their, in 6th Line of the same Page instead of them or some other three, put, any two

Signed ꝑ Order John Ross C^t Up H.

Read the second time the Bill for the Benefit of the Poor and Encouragement of Industry and passed, and sent with the afore-going Bill by Col Hammond

Read the Petition of Samuel Deavor a languishing Prisoner for Debt in Ann Arundel County Goal, William Gibson in Queen Anns County Goal, James Carter in Cecil County Goal and William Burroughs in Kent County Goal, praying severally that an Act may Pass for their Relief, Referred to the Consideration of the Lower House of Assembly and sent by C^t Hollyday

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Six Engrossed Bills from the Lower House by Viz. An Act reviving an Act of Assembly of this Province Entituled an Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals guilty of the said Offences; An Act continuing an Act of Assembly of this Province Entituled an Act for the more effectual Punishment of Negroes and other Slaves and directing the manner of trying of Slaves; An Act continuing an Act of Assembly of this Province Entituled an Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy; An Act p. 30 reviving an Act Entituled an Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned; An Act reviving an Act Entituled a supplementary Act to the Act Entituled an Act laying an Imposition on Negroes and on several Sorts of Liquors imported, and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province, An Act for reviving an Act of Assembly of this Province Entituled an Act ascertaining the Gauge and Tare of Tobacco hh^{ds} and to prevent cutting cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight severally thus subscribed

24 July 1740

Read and assented to by the Lower House of Assembly

Signed ꝑ Order M Macnemara C^t Lo H.

U. H. J. which were severally read and assented to by this House and ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

July 25

Friday Morning 25 July 1740

This House met again according to Adjournment

Present as Yesterday with the Addition of Col Levin Gale

An Engrossed Bill from the Lower House by Mrs Hooper and Gordon Entituled an Act for the Benefit of the Poor and Encouragement of Industry thus subscribed

25 July 1740

Read and assented to by the Lower House of Assembly.

Signed p Order M Macnemara Cl. Lo. H.

Read and assented to by this House and ordered to be so subscribed
Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

Read the second time the Bill Entituled an Act for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise, and will not pass, and sent by Col Gale

Read the Journal of the Committee of Accounts and ordered to be thus subscribed and sent by Philip Lee Esq^r

By the Upper House of Assembly 25 July 1740

p. 31 Read and will be assented to when the following Allowances shall be made; 120[£] Tobacco to the Chancellor, 21250½ to the Secretary, 5647½ to Ditto 28000 to the Attorney General; the ferriages to the Members of the Council on the Eastern Shoar, 3213 Tobacco and 120:7:9 Currency to the Clerk of the Council, the Particulars of the above Charges except for the ferriages are herewith sent

Signed p Order John Ross Cl Up H.

A Bill from the Lower House by Mrs Goldsborough & Rumsey Entituled an Act for the Relief of Samuel Deavor a languishing Prisoner in Ann Arundel County Goal Michael Taylor a languishing Prisoner in Prince Georges County Goal William Burroughs a languishing Prisoner in Kent County Goal, James Carter a languishing Prisoner in Cecil County Goal Sarah Butcher a Languishing Prisoner in Dorchester County Goal and William Bigges a languishing Prisoner in St Marys County Goal thus Endorsed

By the Lower House of Assembly 24 July 1740

Read the first time and ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower House of Assembly 25 July 1740 U. H. J.
Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this House and Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 26 July 1740

July 26

This House met again according to Adjournment

Present as Yesterday except Cot Hammond

Read the second time the Bill Entituled an Act for the Relief of Samuel Deavor Michael Taylor William Burroughs James Carter Sarah Butcher and William Biggs languishing Prisoners for Debt in the several Goals of this Province, and will pass with the following Amendments, instead of the last Clause in the Bill put the following One, And Be it further Enacted by the Authority af^d that before Michael Taylor One of the Prisoners intended to be relieved by this Act shall be relieved and discharged from his Imprisonment by Virtue of this Act he the said Michael Taylor shall enter into a Recognizance to the Lord Proprietary in the sum of Two hundred Pounds Currency and also find two good sufficient Inhabitants of this Province who shall on behalf of the said Michael Taylor enter before One Provincial Justice of this Province or Two Justices of Prince Georges County Court into a Recognizance or Recognizances to the Lord p. 32 Proprietary in the sum of One Hundred Pounds Current Money Each with a Condition or Defeazance that he the said Michael Taylor shall keep the Peace and be of good Behaviour towards all his Majestys Subjects and particularly towards William Mauduit of Prince Georges County for and during the Term of five years

Signed p Order John Ross Ct Up Ho.

sent by Samuel Chamberlain Esq^r

Read the second time the Bill Entituled an Act for Limitation of Officers fees, and will not pass and sent by Cot Harris.

A Message from the Lower House with the Journal of Accounts by M^r King and four Others

By the Lower House of Assembly 26 July 1740

May it please Your Honours

This House cannot consistent with their Duty and the Laws of this Province, allow the Article of 120£ of Tobacco to the Chancellor

As to the Quantity of 54898 of Tobacco insisted upon by Your Honours to be allowed to His Lordships Secretary and Attorney General, We cannot allow thereof, the Prosecution which gave Rise to those Fees being carried on to support His Lordships private

U. H. J. Affairs, and which Prosecutions have been by his Majesty in Council disapproved, and that the allowing such extraordinary Charges may be a dangerous Precedent and open a Way to burthen this Province with far greater Sums.

The ferriages to His Lordships Council of State We are willing to allow: Some of the Articles for which M^r Ross as Clerk of the Council charges and which constitutes the Sum of 3213£ of Tobacco We conceive to be done partly in the Execution of his Office, and for which he has a Yearly Salary, Other Part for making out Pardons ought to have been paid by the Persons concerned, therefore conceive the Publick not chargeable, nor can We allow thereof: As to the Sum of 120:7:9 Currency to M^r Ross as Clerk of the Council being over and above a Sum already allowed him in the Journal, and which has been thought reasonable and sufficient by this House for his Service for transcribing Journals of the Upper House and Council We therefore think it unreasonable to allow him the said sum of 120:7:9

We hope Your Honours will without insisting on these Charges pass the Journal, that the Publick Creditors of this Province may no longer suffer
Signed p Order M Macnemara Ct Lo H.

Adjourned till two of the Clock in the Afternoon

p. 33

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Edmund Jenings Esq^r and Co^t Hollyday are sent to the Lower House to acquaint the Speaker that his Excellency requires him and the rest of the Members of that House to attend him immediately in the Upper House to see the Bills for his Majestys Service passed Both Houses this Session receive the Assent.

The whole House attend and by their Speaker present to his Excellency the following Bills

Chapter II An Act for raising and issuing Money for maintaining His Majestys forces to be raised in this Province and transporting them to the place of Rendezvous in the West Indies

Chapter III An Act for the Indemnity of such Persons as shall be employed in transporting his Majestys Troops to be raised in this Province to the General Rendezvous in the West Indies

Which were signed by his Excellency the Governor and assented to on behalf of the Right honourable the Lord Proprietary and sealed with his Lordships Greater Seal at Arms

The Speaker and the House withdrew

An Engrossed Bill from the Lower House by M^{rs} Denton and Brome Entituled an Act for the Relief of Samuel Deavor a languish-

ing Prisoner in Ann Arundel County Goal Michael Taylor a languishing Prisoner in Prince Georges County Goal William Burroughs a languishing Prisoner in Kent County Goal, James Carter a languishing Prisoner in Cecil County Goal Sarah Butcher a languishing Prisoner in Dorchester County Goal and William Bigges a languishing Prisoner in St Marys County Goal thus subscribed

26 July 1740

Read and assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this House and Ordered to be so subscribed

Adjourned till Monday Morning ten of the Clock

Monday Morning 28 July 1740

July 28

This House met again according to Adjournment

Present

p. 34

The honourable	{	Benjamin Tasker Esq ^r	Cot Charles Hammond
		Edmund Jenings Esq ^r	Cot Levin Gale
		Cot James Hollyday	Samuel Chamberlain Esq ^r

The following Message is sent by Col Gale

By the Upper House of Assembly 28 July 1740

Gentlemen

We are very much surprized, that you should think it inconsistent with Your Duty, and the Laws of the Province, to allow the Article of 120[£] Tobacco to the Chancellor, since that Fee arises from the Mercy and Lenity of the Governor Shewn to an Offender by the Seal of a Pardon: And it must appear very extraordinary that the Use or Charge of the Seal for such a Purpose is found fault with by the Representatives of the People, nor can We presume there is any Law against the Allowance, for We never heard that the Seal to a Pardon was ever before scrupled, or otherwise paid, than by the Publick

As We apprehend from the Reasons you give for the disallowance of the 54898[£] Tobacco to the Secretary and Attorney General, that you are not thoroughly apprized of the Nature of Those Fees, or the Prosecutions on which they arose; We must observe to you, that little if any, of the Account of 5647½ due to the Secretary is founded on the like Prosecutions as those in the Other Accounts of 21250½ to the Secretary and 28000 to the General, and therefore not lyable to Your Objections in Your Message of the 26 Instant; But as to those two latter Accounts, the Prosecutions on which the fees arise were commenced and carryed on for the Punishment of Violences and Outrages committed on the Borders of this Province, and in Order to preserve the Peace and protect and secure such of Our

U. H. J. Inhabitants as had taken up Lands by Maryland Rights in their Possessions under this Government: And in those Prosecutions his Lordship was no otherwise concerned than he would be, in supporting in any other Part of the Province, the Properties of his Tenants, the Peace of the People, and consequentially the Rights of his Charter; Therefore Your Reason, if a good One, may as well be applied to Every Other Publick Prosecution as these: you are, Gentⁿ certainly very much misinformed, in what you mention of his Majestys Disapprobation of those Prosecutions; It is very true, that by his
 p. 35 Majestys Orders all Prisoners on both sides on Account of those Riots & Disturbances were discharged; but so far were those Orders from being founded on the least Motive or Suggestion, that such Prosecutions were unwarrantable or illegal, and so far was his Majesty from expressing any Disapprobation or Censure on them, that His Majesty on the contrary was pleased to order, that the Prisoners should enter into their own respective Recognizances in a reasonable Sum to appear and submit to a Tryal when called upon by farther Order from his Majesty, therefore We hope you will consider, that the Secretary and Attorney General being obliged by their Offices to do those Publick Services upon the faith and Credit of the Publick, their fees now claimed ought in Honour and Justice to be allowed.

As to your Disallowance of the 3213[£] of Tobacco to the Clerk of the Council, Part of it is for Services done at the Request and for the Use of your own Committee of Aggrievances, and which cannot be said to be done by Virtue of his Office; the other Part relates to Pardons and which Allowances have been always hitherto made by the Publick to the Clerk of the Council: We cannot comprehend why you think the Charge of 120:7:9 Currency claimed by the Clerk of the Council to be unreasonable, since he charges only 4½ Currency p side, M^r Denton and Others were formerly allowed 3^d p Side in Gold, and the Difference between Gold & Paper is now generally esteemed to be 50 p Cent, besides, this Disallowance must be thought more unaccountable, after your own Allowance of his first Account at 4½d. p side by Your Message of the 4th of June 1739, therefore upon the whole We trust you will insert all these several Allowances that the Journal may pass and the Publick Creditors be paid

Signed p Order John Ross Cl^k Up H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 29 July 1740

U. H. J.
July 29

This House met again according to Adjournment

Present as Yesterday

Read the second time the following Bills Viz: An Act reviving an Act of Assembly Entituled an Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for reviving & continuing the supplementary Act thereto; An Act reviving an Act of Assembly Entituled An Act for the Advancement of Justice as also an Act of Assembly Entituled a Supplementary Act to the Act for Advancement of Justice; An Act reviving an Act of Assembly of this Province Entituled an Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace; An Act to revive and continue an Act for the better Relief of poor Debtors; An Act to revive an Act of Assembly of this Province Entituled a supplementary Act to the Act Entituled an Act for emitting & making Current ninety thousand Pounds Current Money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed; and will not pass, and sent to the Lower House by Edmund Jenings and Samuel Chamberlain Esq^{rs} p. 36

The several Paper Bills the Originals of which have passed this House are sent to the Lower House by Samuel Chamberlain Esq^r

A Message from the Lower House with the Journal of Accounts by M^r King and four Others

By the House of Delegates 29 July 1740

May it please Your Honours

We are very much surprised that you should think it inconsistent with the Disposition of the Governor and Chancellor to shew either Mercy or Lenity without being paid for the same by the Publick contrary to a Law of the Province And It is as extraordinary for you to say that We find fault with the Use of the Seal to such a Purpose, because We refuse to pay, contrary to Your Presumption, that there is no Law against the Allowance: It is from the Assurance We have, that there is such a Law, that We then did, and now disallow that Article

If any Part of the 54898^l Tobacco charged by the Secretary and Attorney General, be on such a footing as ought in Justice to be allowed by the Publick that being made appear hereafter, it may be paid; but We conceive the whole to arise from the Cause assigned in Our former Message, and therefore cannot allow thereof

And if the Prisoners were discharged by Order of the King in Council, sure that is a plain Indication that his Majesty disapproved of the Prosecutions, and if they have recognized, their Recognizances are lyable: We consider the Attorney General and Secretary in Execution of their great Offices are to serve the Lord Proprietary,

U. H. J. and that in this they had no Reason to Act on the faith and Credit of the Publick; nor in Honour and Justice to Our Constituents can We suffer such a Charge to pass against them

p. 37 As to the 3213 Tobacco to M^r Ross, the Part of the Service done at the Request of the Committee of Aggrievances, was a Publick Business, for which he has a Yearly and daily Salary; And had the Books which contained those extraordinary Orders of Council, which pass as Laws on the People (and ought to be publick) been laid before the Committee, he had not had the Trouble of copying; wherefore We cannot allow of that Part; nor of the Other, for the Reasons already assigned

We told you in Our former that We thought the Allowance M^r Ross had for transcribing some loose Sheets of the Journals of the Council, and as an Upper House, a reasonable One; And if you do not think so, you may, if you think proper, publish the Messages, and other Papers relating to that Affair, for Reference to the Publick: What M^r Denton and Others had We conceive to be no Precedent on this Occasion, nor that We allowed 4½ p side for some, that being One Reason why We think that included in the Gross Sum to be a sufficient and reasonable Allowance for transcribing loose Sheets (We will not say into a Book) as you yourselves only desired

If you are not willing to pass the Journal herewith sent, without these Articles, We hope you will not give Your selves or Us any further Trouble with Messages on the Subjects, for We assure you We shall spend no more Time thereon; and hope you will consider the Case of the just Creditors of the Publick, and not delay their Payment, or swell the Publick Debt till it becomes intolerable to the People on Account of those extraordinary Demands which We can never allow of: And We hope with the Concurrence of your Honours to have a speedy End put to this Session

Signed p Order M Macnemara Cl Lo H.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

The following Message is sent with the Journal of Accounts by Col Harris

By the Upper House of Assembly 29 July 1740

Gentlemen

It is really high time for Us to be silent, when We find you not only say what comes uppermost in your own Thoughts, but even endeavor to make us say what never entered into Ours, or can be

implied from Our Words; As a specimen of This you urge, "As if U. H. J.
 "We thought it inconsistent with the Disposition of the Governor
 "or Chancellor to shew either Mercy or Lenity without being paid
 "for the same by the Publick, contrary to a Law of the Province"
 Whereas We only told you that We were surprized you should think p. 38
 it inconsistent with Your Duty and the Laws of the Province to
 allow the Article of 120£ Tobacco since that Fee arose from the
 Mercy and Lenity of the Governor shewn to an Offender by the Seal
 of a Pardon Does this impart that it is inconsistent with the Dispo-
 sition of the Governor and Chancellor to shew either Mercy or Lenity
 without being paid for it; It is so far from it, that We are satisfied,
 none but Yourselves will ever construe those Words in the Sense
 you do; Because the plain and natural Meaning is, that Mercy & For-
 giveness ought to be considered by Every Person with Thankfulness,
 rather than with grudging any Expence, the Exercise of those ami-
 cable Qualities may be necessarily attended with; but the Governors
 known Readiness to shew Compassion and Favour towards Every
 proper Object as much takes from Us the Necessity of convincing
 the World of It's Truth, as It puts it out of Your Power to misguide
 any Person by Insinuations into the Disbelief of it; nor Is it the
 Value of 120£ Tobacco which obliges Us to persevere in the Claim
 but the Precedent you endeavour to establish by the Disallowance,
 and which We repeat, to be against all former Precedents of that
 kind, and which you do not deny; nor do you Point out what Law is
 against the Allowance, tho' We know of none, and you have roundly
 affirmed there is One.

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We shall not consent to referr the Decision of the Lawfulness of
 the Charge of 54898£ to any Other time; since you have neither
 shewed Us any Law against that Allowance, or offered anything but
 Your own Affirmation, that Our Reasoning on those fees in Our
 last Message of the 28th Instant is wrong; nor can We apprehend
 how his Majestys Order to discharge the Prisoners till a farther
 Time prove, that he disapproved of the Prosecutions that had been
 before carried on, although he might not think fit to have them
 determined as yet; And We should be obliged if you will explain to
 us how the Recognizances taken from those Prisoners are lyable
 for the fees now contended for; We conceive when the Secretary and
 Attorney General Act on behalf of the Lord Proprietary in Matters
 relating to the Liberty of the Inhabitants or their Possessions, they
 act (as they did in the Instance of those fees) for the Publick

We never before heard that the Clerk of the Council was Clerk
 to the Committee of Aggrievances, and it is as extraordinary to have
 it surmised, that the Council Books ought to be laid before such a
 Committee, which We are assured never entered into any other
 Imaginations than Your own

We are really so unhappy as not to understand what you mean p. 39
 further relating to M^r Ross, only that what was thought reasonable

U. H. J. to be allowed to M^r Denton One of Your own Members, for copying, is too much for the Copies made by the Clerk of the Council, from whence it is easily concluded, that Your Objection is not so much to the Services as to the Persons

We shall not give you or Ourselves further Trouble about the Journal, but only tell you, that as the fees now claimed are as just Debts on the Publick as any Others, We shall not make, what We apprehend to be an unjust Difference between these and the Other Publick Debts, and therefore return the Journall

Signed p Order John Ross C^t Up H.

Benjamin Tasker Esq^r from the Committee appointed to inspect the State of the Fund of 3^d p hh^d for Arms makes the following Report

To the Honourable The Upper House of Assembly

Your Committee having been appointed by the House to Join a Committee of the Lower House of Assembly to Inspect and Report the State of the Fund raised by 3^d p hogshead on Tobacco Exported for purchasing Arms and Ammunition for the Defence of the Province your Committee in Obedience to your Appointment have proceeded and carefully Examined the several Accounts hereto annexed and altho the Committee of the Lower House have agreed with your Committee as to the General Account yet they being pleased to differ with us in some Explanation on these Accounts We humbly Apprehend Our Duty Obliges Us to Represent the State of them in the following manner

First your Committee find that there has been raised in the whole Province by means of the abovementioned Fund Clear of all Deductions the Sum of £6840..15..9 Sterling and £36..1..7½ Current Gold

That upon Examining the Accounts of Samuel Young Esq^r late Treasurer of the Western Shore We find the sum of £4139..19..7¼ to have been raised on the Western Shore from the year 1717 to the year 1735 and received by the said Samuel Young as by his Treasurers Accounts hereto annexed appears Mark'd A

That out of the last mentioned Sum received by the said Young he hath remitted into the hands of Mess^{rs} John and Samuel Hydes Merchants in London the Sum of £3158..2..10 Sterl and that the said Young hath discharged himself of the Remainder of the Sum received by him as aforesaid Except Ballance due on his last Account of 18s. 3d. & £34..13..7¾ Gold by several Payments made by him as Appears by the Treasurers Accounts above mentioned

p. 40 That by the Accounts current and Sundry Shop notes from Mess^{rs} John and Samuel Hyde produced to Your Committee there appears the Sum of £2080..2s..10d. Sterling to have been laid out in Arms and Ammunition and other Necessarys for the Use of and Applied towards building of the Council Chamber as By the said Accounts hereunto annexed appears marked B

That by the last Account sent by the said Samuel Hyde dated U. H. J. November 1st 1737 there is remaining in his Hands a Ballance of £1078..0..0 Sterling as appears by one of the last mentioned Annexed Accounts

That by the Accounts of Robert Ungle Esq^r late Treasurer of the Eastern Shore We find that from the year 1717 to the year 1726 there was received by him on Account of the said Fund the Sum of £622..15..2 Sterling as by the said Accounts hereto annexed does appear Markt C

That by the said Accounts there is said to be paid by the said Ungle the Sum of £293..2..3 and by the same Account there appears to be remitted to Mess^{rs} John and Samuel Hyde the sum of £334..8..8½ Sterling as by Reference to the last mentioned Accounts may also appear

That by the Accounts of Col^o Charles Hammond Treasurer of the Western Shore We find the sum of £943..9..9 Sterling to have been raised on the said Shore and received by the said Col^o Hammond from the year 1735 to the 29 September 1739 and that there has been paid by the said Hammond the Sum of £127..4..9 Sterling and that there Remains as a Ballance on the said Account remitted to M^r Samuel Hyde the Sum of £816..5..0¼ as by the said Accounts hereto annexed does appear Mark'd D

That by the Accounts of James Holliday Esq^r Treasurer of the Eastern Shore we find the Sum of £1134..11..2 to have been raised on the said Shore and received by the said Holliday from the Year 1726 to the 29th Sept^r 1739 That there has been paid by the said James Holliday the Sum of 700£ 2s. 6d. And that there remains as a Ballance of the said Account Remitted to M^r William Hunt Merchant in London by Order of the General Assembly the Sum of £436..13..3¾ Sterl as by the said Accounts hereunto annexed does appear Mark'd E

And your committee beg leave to inform you that from the year 1726 down to this time to the certain knowledge of one of Your Committee it hath been the constant Practice of the Treasurers of each Shore to lay their Accounts of this as well as other Duties annually before a Committee of the Lower House of Assembly for their Inspection and Approbation and we are well assured that the usage hath been always the same before that Time

That for An Article of £49..3..10^{Stert} in one of M^r Hydes Accounts for Goods Sent in the year 1718 there was not any Shop notes produced to your Committee but We presume by the great distance of time those Shop notes may be mislaid or lost.

That we find in the Year 1719 an Order of Governor and Council p. 41 to Col^o Richard Tilghman to purchase Arms for the use of the Province from Richard Bennet Esq^r and Company upon which order another appears to be drawn by the said Col^o Tilghman for the sum

U. H. J. of £187..13..6 on Robert Ungle Treasurer of the Eastern Shore for which the said Ungle is allowed by the Committee that past his Account in the year 1720 but as your Committee Conceives without the said Ungles producing any proper Voucher for the same, for that we find that in the year 1729 the said Richard Bennett Esq^r Appeared before the then Governor and Council and produced the above Order without any discharge appearing thereon and deposed that he had not received the above Sum of Money nor any part of it nor any thing in Satisfaction thereof, upon which it appears that another order was drawn on Col^o Samuel Young for the af^d Sum of £187..13..6 Sterl^t by which we conceive the Publick has been charged twice for one and the same Sum tho it appears by the Oath of the aforesaid Richard Bennet not to have been paid him by M^r Ungle

Your Committee also finds that in an Account of M^r Samuel Hyde marked F hereunto annexed three Several Articles amounting to the Sum of £529..6..10 Appears to have been paid to his Excellency Samuel Ogle Esq^r but as one of the said three Articles being £238..15..10 is not taken notice of in any of M^r Hydes Accounts hereto annexed Your Committee beg leave to lay before this House the nature of that Article with the Reason of its not being mentioned in these Accounts of M^r Hydes And for that Purpose We must observe that the said Sum of £238..15..10 was raised by Virtue of An Act of Assembly made Anno 1732 and was not by the said Act particularly appropriated But it was afterwards by another Act made in 1734 Appropriated to the Fund for Arms &c^a We find that the Sum of £238..15..10 Immediately after Receipt thereof and before The last mentioned Act was made was Remitted by the Hands of Daniel Dulany Esq^r to M^r Samuel Hyde as appears by the Accounts number A hereto annexed and we presume before M^r Hyde had made or Transmitted any Account in which such Article might be expected to have been Charged Col^o Young by an order of Council drew an order on M^r Hyde for the said Sum of £238..15..10 payable to his Excellency Samuel Ogle Esq^r and which said Sum together with the other two Articles amounting in the whole to the Sum of £529..6..10 Appears to be unaccounted for by M^r Hyde in the aforesaid Account Mark'd F by which Account it appears that there is laid out in Powder and Arms £371..8..2 and that there remains a Balance in M^r Hydes Hands on the said Account £157..18.8 and altho it would have been perhaps Clearer if M^r Hyde had Stated such Article in his General Account of the 3^d for Arms that your Committee humbly Conceive that the Justice with Regard to the Publick is the same for if M^r Hyde had Credited the Publick with that Sum

p. 42 he must have Charged the Publick with the Arms purchased for & sent to this Province out of that Sum, which he has not done but kept a Seperate Account of the same

That it does not appear to your Committee what the following U. H. J. Articles in Col^o Youngs Account hereto annexed were Expended for

1720	To Bills Exchange paid his Excellency John	
May	Hart Esq ^r p Order Council for £182..1..8	£127..9..2
27.	Currency he allowing 30 p Cent Exc ^o	
	To Cash paid Thomas Cooke £12..6..3 Curr ^y at	
	25 p Cent Exc ^o	9..4..8¼
	To Cash paid his Excellency John Hart Esq ^r	
	Governor p Order	6..6..0

But as this Account was past with a Committee of the Lower House of Assembly as before is mentioned About that time we doubt not but they were then well Satisfied of the Justice of the Charge upon the whole We find have Stated a General Account mark'd G to which we refer shewing that there hath been raised as is before mentioned £6840..15..9¼^{sterl} and £36..1..7½ Current Gold and have given Credit in the same Account by several Disbursements Amounting to £4173..17..10¾ Sterling which with the Sum of £2666..5..3½ in the Hands of M^r Hyde and M^r Hunt merchants in London for which the same Account has Credit makes the Ballance unaccounted for in any manner to be £0..12..7 only To conclude as the several Treasurers Accounts and those of the Merchants are Checks on each other we are well Satisfied the Country has had Justice done by the said Gentlemen

All which your Committee humbly Submit to the Consideration of the House
Signed p Order Richard Dorsey Cl Com.

29th July 1740.

A

D^r Stock of the Western Shore on Account of the duty of 3^d Sterling p hh^d for Arms &c^a as p Sam^l Young Esq^r Treasurers Account.

1717	To my Sallary Receiving £134..3..3½ of	
June 5	Sundry Persons p Contra @ 2½ p Cent	3.. 7.. 0¾
28 th : 8 ^{ber}	To my Sallary for Receiving £68..8..6	
	at 2½ p Cent	1..14.. 2½
19 July	To Several Sets of Bills Exchange sent	
	to Captain John Hyde of London Merchant to	
	be Lodged in his Hands as p order of Assembly	130.. 4.. 6
October	To 11 Sets Bills Exchange sent to Ditto	
	pursuant to an Order of Assembly bearing date	
	the 8 th of June 1717	68..10.. 6

£203..16.. 3¼

U. H. J. C ^r 1717	By John Rousby Esq ^r	£43.. 1..2½	
P. 43 June	By M ^r John Phelps Naval Officer Potomack	32.. 7..7	
	By William Bladen Esq ^r Naval Officer Annapolis	58..14..6	
			134.. 3.. 3½
16. 7 ^{ber}	By John Rousby Esq ^r Naval Officer Patuxent	46.. 2..1	
3 ^d 8 ^{ber}	By M ^r John Phelps Naval Officer Potomack	22.. 6..5¼	
			68.. 8.. 6¼
	Ballance due to the Treasurers		1.. 4.. 5½
			203..16.. 3¼
P. 44 1718	To Ballance as p Contra	£ 1.. 4.. 5½	
June 28.	To Bills of Exchange paid his Excellency John Hart's order of the 12 th April 1718 to John Young Armourer	30.. 0.. 0	
	To my Salary for receiving £110..15..9 at 2½ p Cent	2..15..04½	
Oct. 6.	To Bills Exchange paid his Excellency John Hart Esq ^r in full of his order dated May the 6 th 1718	103.. 8.. 9	
	To Ditto paid Ditto	100.. 0.. 0	
23 rd May 1719	To allowed to M ^r Benjamin Tasker Naval Officer of Annapolis for 649 hhds Tobacco Accounted for with me which should have been Accounted for with the Eastern Shore Treasurer which makes the Credit by him of £35..10..9 p Contra more than received of him	2..19.. 5	
29 th May.	To Bills of Exchange paid M ^r Amos Garrett for Account of John Young p Order of his Excellency John Hart	30.. 0.. 0	
	To my Salary for receiving £210..1..3 at 2½ p Cent	5.. 5.. 0¼	
	Ballance due to the Publick	45.. 3..11¾	
			£320..17.. 0
1720 D ^r	Stock of the Western Shore on Account of the Duty of 3 ^d Sterling p Hogshead for Arms &c ^a as p Samuel Young Esq ^r Treasurers Account		
	To his Excellencys Order to pay John Young Armourer	£ 30.. 0.. 0	
	To my Sallary for receiving £90..16..8¾ at 2½ p Cent	2.. 5.. 5	

May To Bills Exchange paid his Excellency } John Hart p Order Council for £182..1..8 Cur- rency he allowing 30 p Cent Exc ^o	127.. 9.. 2	U. H. J.
To Cash paid Thomas Cooke £12..6..3 Currency @ 25 p Cent Exc ^o	9.. 4.. 8¼	
To paid his Excellency John Hart Esq ^r Governor p order	6.. 6.. 0	
To my Sallary for receiving £221..5..7 at 2½ p Cent	5..10.. 7½	
To Ballance due to the Publick	176..10.. 5¾	

£357.. 6.. 3½

	D ^r	
To the Governor and Councils order to pay John Young for Cleaning the Arms	40.. 0.. 0	
To Cash paid Thomas Williams for Glazing Work £0..13..6 Currency	0..10.. 1½	
To Ditto paid James Baterson for a Latch to the Publick Door 0..4..6 Currency	0.. 3.. 4½	
To my Sallary for receiving £40..10..8½ @ 2½ p Cent	1.. 0.. 3	
To Ballance	175.. 7.. 2½	

£217.. 0..11½

Cr.

19 May } By John Phelps Naval			
1718 } Officer Potomack	£ 7.. 6.. 3		P. 45
	By Thomas Macnemara		
	Naval Officer Patuxent	46.. 8.. 9	
By William Bladen Esq ^r Naval Offi- cer Annapolis	57.. 0.. 9	110..15.. 9	

Sept. 28. By the Administrators of } John Phelps late Naval Officer of Potomack	1.. 6.. 0	
" 20 By John Young Naval Offi- cer Potomack	56.. 6.. 1	
Oct. 6. By M ^r Benj ⁿ Tasker Naval Officer Annapolis.	35..10.. 9	
10. By Administrators of John } Steel late Naval Officer Patuxent	45..14.. 5½	
9 th Dec ^r by Daniel Dulany for Acco ^t } of M ^r Thomas Macnemara	34.. 8.. 4	
By John Rousby Esq ^r Naval Officer Patuxent	15..16.. 9	

U. H. J. By M^r John Young Naval Officer

Potomack

7..10.. 7

1719 Mar. By Ditto

1..16.. 2¾

May 23^d By John Rousby Esq^r

11..12.. 1

Naval Officer Patuxent

210.. 1.. 3

£320..17.. 0

Cr.

1719 } By Ballance due to the Publick

£45.. 3..11¾

May 29 }

7th, Oct. By Col^o W^m HollandNaval Officer Patux^t

50..16.. 8

10, Sept. By John Young Naval

Officer Potomack

40.. 0.. 0¾

90..16.. 8¾

1720

April 26. By Ditto

22..18.. 6¼

Sept. 24. By Col^o William HollandNaval Officer Patux^t from the
28th of September until the 25th

53..15..10

May 1720

By Ditto from the 28 May to the 24

Aug. 1720.

56.. 2.. 7¾

By M^r Benj^a Tasker Naval Officer

Annapolis

88.. 8.. 7

221.. 5.. 7

£357.. 6.. 3½

By Ballance as p the other Side

176..10.. 5½

25, August By John Young Na-

vall Officer Potomack

£27.. 3..11½

25, March } By Ditto

13.. 6.. 9

40..10.. 8½

1721 }

£217.. 0..11½

p. 46 1721 D^r Stock of the Western Shore on Account of the Duty of
3^d Sterl p Hogshead for Arms &c^a as p Samuel Young Esq^r
Treasurers Acco^{ts} July 27

To my Salary for receiving £546..13..10

£13..13.. 4

To the Order of the Governor and Council to pay

John Young Armourer for one Years Sallary }

40.. 0.. 0

Ending 11th June 1721

To D ^o Order to pay Philip Riley	1..0..0	}	in all 8.. 0.. 0
To D ^o to pay John Smith Carpenter	4..0..0		
To D ^o to pay Geo: Dashiell for Plank	5..0..0		
			<hr/>
To Ballance remaining in the Treasurers Hands			53..13.. 4 668.. 7.. 8
			<hr/>
			722.. 1.. 0
To Error in casting up the above Account to my Prejudice		}	8.. 0.. 0
Dr			
1722	}	To an Error in Casting up my last Account	£8.. 0.. 0
29 th 8 ^{ber}		To Cash paid Thomas Williams for Work done to the Powder House as p Agreement	
	}	Currency	9.. 2..0
2 March.	}	To Bills of Exchange paid John Young for his Years Salary	40.. 0.. 0
15 th "	}	To Bills of Exchange sent Cap ^t John Hyde p order	386..13..11
1723 Mar. 25.	}	To Cash paid Ebenezer Moss for Touch holding the Great Guns	12.. 0..0
		To paid William Groves for carting the Guns to and from Moses	
	}		1.. 5..0
5 June.	}	To Cash paid Richard Bricles for making a Platt Form for the Great Guns he finding Timber and diet	12.. 0..0
		To William Munroe for Levelling the Ground and Taring the Platt Form and Great Guns	
			0..13..6

U. H. J.

	To Cash in part Pay for Tompkins for the Guns	0.. 2..0
4 th 8 ^{ber}	To Cash paid Ebe- nezer Moss for Smiths Work for the Guns	2..15..9
		<hr/>
	£37..18..3 is	28.. 8.. 8¼
This Accountant prays Allowance of 2 p Cent for		
Loss of Weight and Exchange of Money for		0..11.. 4
Sterling allowed p Governor and Council		
To my Attendance 4 days Agreing with Brickles and Moss to do the Work Allowed p Governor and Council		2.. 0.. 0
To Bills Exchange sent Captain John Hyde		224.. 8.. 0
To more Bills sent Ditto		353.. 6..10
To my Sallary for receiving £380..17..5½ @ 2½ p Cent		9..10.. 4¾
		<hr/>
		£1052..19.. 2

			Cr
p. 47 1721 May 29.	By Ballance due to the Publick	175.. 7.. 2½	
7 th October	By Col ^o William Holland	52.. 4..11¼	
Dec.	By Ditto	78.. 0.. 1¾	
Aug. 1722	By M ^r John Young	96.. 0.. 6½	
Oct. 22.	By Col ^o William Holland Bal- lance of his Acco ^t 30 th Dec ^r	8.. 3..11¾	
	By Ditto of same Date	93.. 1..11¼	
" 24.	By M ^r Benj ^a Tasker for his Ac- count of 27 October 1720.	85.. 0.. 9	
" 25.	By Ditto his Account Ending 10 th November 1721	134.. 1.. 7	
		<hr/>	
		722.. 1.. 0	
By a mistake in deducting the Sallary in Col ^o Hol- lands Acco ^t		10.. 0.. 0	

			Cr
1722	By Ballance of last Account due to the Publick	£668.. 7.. 8	
27, Oct.	By a Mistake in deducting the Sallary in Col ^o Holland's Acc ^t	10.. 0.. 0	
1723 May 13,	By John Young Naval Officer Potomack	36..14.. 0¾	
25 7 ^{ber} ,	By Ditto	36.. 8..11	

4 Oct.	By Benjamin Tasker Esq ^r his Account 25 Oct. 1722	94..17.. 2	U. H. J.
	By Ditto his Account Ending 5 September 1723.	100..17.. 8	
9 th "	By Thomas Humphreys Esq ^r	102.. 9.. 7¾	
	By Ballance due to Samuel Young	3..14.. 1½	
		<hr/> £1052..19.. 2	

1723 D^r Stock of the Western Shore on Account of the Duty of p. 48
3^d Sterling p hogshead for Arms &c^a as p Samuel Young Esq^r
Treasurers Account

17 March.	To Ballance due to Treasurer	£3..14.. 1½
	To Cash paid John Smith for Work done to the Powder House	£14.. 3..0
	To Ditto paid Amos Garrett Esq ^r for 4 Gallons Tarr for said House	0.. 4..0
	To Ditto paid Thomas Williams for Tarring said House	0..13..0
		<hr/> 15.. 0..0 is 11.. 5.. 0

1724

Oct.	To Bills Exchange paid Amos Garrett Esq ^r for John Youngs Sallary	40.. 0.. 0
	To Benjamin Tasker Esq ^r for Seven Years House Rent for the Arms	42..0..0 is 33..12.. 0
	To D ^o p order Council for Service Agreing with Moss & Bricles.	2.. 0.. 0
	To my Sallary for receiving £78..11..10 at 2½ p Cent	1..19.. 2½
		<hr/> £92..10.. 4

1724

26 th 8 ^{ber}	To Baïance as p Contra	£7..15.. 0
	To Cash paid John Smith p order Council	£0..15..0
	To D ^o paid D ^o for mending the Plat form of the Guns	0.. 5..0
	To Carting the Arms &c & Expences on the Sailors Wading in the Water to Land the Powder an Carrying it to the Powder House	0..16..0
		<hr/> 1..16..0 is 1.. 8.. 9¾
	To Bills of Exchange remitted Cap ^t John Hyde as p Receipt	157.. 9.. 5

U. H. J.	To Ditto Remitted as p Ditto	129..19.. 8
13 th 8 ^{ber}	To Ditto Remitted Ditto as p Ditto	114..12.. 7
1725		
October 14.	To the Salary of £87..9..4½ paid his Excellency for the like Sum p Contra re- ceived of him for the duty of 6991 hhd. for Acco ^t Thomas Humphreys which was not then deducted	6..19.. 9¾
Dr		
	To my Attendance 2 days at Annapolis to receive the Arms Powder &c ^a and deliver up Bill Lading	1.. 0.. 0
	To my Salary on £461..14..3 at 2½ p Cent	11..10..10¼
	To Ballance due	30..18.. 1¾
		<hr/> £461..14.. 3¾
	To Cash paid John Smith by Order } the Govern ^r and Council	0..10..8 is 0.. 8.. 0
	To my Sallary for receiving £234..11..6 at 2½ p Cent.	5..17.. 3
1725,	To Bills Exchange paid Amos Garrett p } order John Young for his Salary for 1724	40.. 0.. 0
1726.	To Ditto paid Ditto for 1725	40.. 0.. 0
	To Ballance due to the Publick	179.. 4.. 4¾
		<hr/> £265.. 9.. 7¾
p. 49	C ^r	C ^r
1723 } Feb ^{ry} }	By Arms then Received from Captain John Hyde for my proper Account	6.. 3.. 6
1724		
Oct ^r	By Benjamin Tasker Esq ^r	78..11..10
	Ballance due to the Treasurer	7..15.. 0
		<hr/> £92..10.. 4
1724.	By John Young Naval Officer Potomack	15..13.. 4¾
1725 } 2 May }	By Ditto	33..14.. 1½
19 July.	By Bills Exchange received of his Ex- cellency Cha ^s Calvert Esq ^r Governor for Ac- count of Thomas Humphreys Esq ^r for 6991 hogsheads for 1724	87.. 9.. 7½
12 th 8 ^{ber}	By Benjamin Tasker Esq ^r Naval Officer of Annapolis	73.. 8..10

14	By his Excellency Charles Calvert Esq ^r Governor for Acco ^t of Thomas Humphries Esq ^r Naval Officer Patuxent	80..11.. 7½	U. H. J.
15.	By Samuel Perries Bill returned p Cap ^t Hyde Protested amounting to with Protest and Damage		
		37..15.. 6	

C^r

By John Summers Bill returned by Ditto	54.. 6.. 8
By John Aietons D ^o returned by D ^o with Protest and Damage Amounts to.	47.. 7.. 6¼
By Ballance of M ^r Humphries Account Anno 1723 Received of his Excellency	3.. 3.. 1¾
By John Young	26.. 3..10

Collected by this Acco^t 322..4..7 £461..14.. 3½

1725 8 ^{ber}	By Ballance due	£30..18.. 1¾
May 7	By John Young Naval Officer	£10.. 7.. 0½
1726 8 ^{ber}	2. By Ditto	50.. 5..0
25.	By Benjamin Tasker Esq ^r	78..15..3
	By John Ross Esq ^r	95.. 4..3
		234..11.. 6
		£265.. 9.. 7¾

D^r Stock of the Western Shore on Account of the 3^d Sterling p p. 50
hh^d for Arms &c. as p^r Samuel Young Esq^r Treasurers Accounts

1726 10 Aug st	To paid John Smith for mending the Council Room	£0..10..0 is 0.. 8.. 4
1727, 13 th Aug.	To Bills Exchange remitted Captain John Hyde as p Receipt.	175.. 5.. 6
	To Bills Exchange paid Amos Garrett for the use of John Young Armourer pursuant to an Order of the Governor and Council 20 th May 1727	40.. 0.. 0
	To Salary for receiving £218..8..4¼	5.. 9.. 2½
	To Ballance due to the Publick	176.. 9.. 8½
		£397..12.. 9

1727	To Cash paid Cornelius Aorszson p Order Governor and Council	3..18..9
------	--	----------

U. H. J. Oct. 30 th	To Ditto paid John Smith p same order	5.. 9..0
31.	To Ditto paid Doctor Charles Carroll	1.. 0..0
	To Ditto paid Amos Garrett Esq ^r	4..12..8
	To Ditto paid for Carting Lead to the Court House.	0.. 1..7

To the above Articles Amount- ing to		15.. 2..0 is	11.. 6.. 6
1728 April 12 th	To Bills Exchange paid Amos Garrett Esq ^r for the Use of John Young	}	40.. 0.. 0
	To Bills Exchange sent Captain John Hyde and Company as p Receipt of		127..10.. 0
	Messrs. John Beale and Thomas Worthington		
	To the Accountants Salary for receiving £381..2..9 @ 2½ p Cent	}	9..10.. 6¾
	To Ballance due to the Publick		369.. 5.. 4½
			<u>£557..12.. 5¼</u>

D^r

1728, 24 th , 8 ^{ber}	To Cash paid Daniel Dulany Esq ^r p Order Governor and Council	7.. 0..6
4 th 9 ^{ber}	To paid Samuel Minskie	4.. 9..2
5 th	To Ditto paid John Smith, Car- penter	30..19..6
Feb. 4 th	To Ditto paid Patrick Creagh	1..15..0

		£44.. 4..2 is	35.. 7.. 4
	To Bills Exchange paid M ^r Amos Woodward for Account of M ^r John Young Armourer	}	40.. 0.. 0
	To your Order paid Captain Thomas Colvil paid Geo. Neilson		3..12.. 0
1729 July.	To my Salary for Receiving £34..1..10 p Contra		0..17.. 0½
	To Bills of Exchange sent to Captain John Hyde by the Hands of Mess ^{rs} John Beale and Thomas Worthington	}	324.. 3.. 4½
			<u>£403..19.. 9</u>

C^r

p. 51 1726	By Ballance due.	£179.. 4.. 4¾
1727. May 24.	M ^r John Young Na- vall Officer Potomack	19.. 5..10½

9 th 8 ^{ber}	By Benjamin Tasker Esq ^r	85..12.. 8	
	By John Ross Esq ^r Naval Officer		
	Patuxent.	88..16.. 4	
	By John Young late Naval Officer		
	Potomack.	24..13.. 5¼	
			218.. 8.. 4¼
			£397..12.. 9
1727 Oct. 24.	By Ballance then due to the		
	Publick		£176.. 9.. 8½
Nov. 29.	By Cash received of Charles Hammond		
	for 37 ^{lb} Lead		0.. 8.. 1
1728 July 30.	By John Ross Esq ^r for a Protested		
	Bill of Exc ^a of Thomas Monteiths for £68 re-		
	turned by Captain Hyde with 20 p Cent		81..12.. 0
	thereon		
October	By John Ross Esq ^r Naval Officer Patux-		
	ent		103..18.. 3
	By Benjamin Tasker Esq ^r Naval Officer An-		
	napolis.		99..18.. 4
	By Philip Lee Esq ^r Naval Officer Potomack		95.. 6.. 1
			£557..12.. 5½
	Collected this year	£ s d	
	299..2..8		
1728	By Ballance of last Account		£369.. 5.. 5
1729 July.	By Benjamin Tasker		34.. 1..10¼
	Ballance due to the Treasurer		0..12.. 5¾
			£403..19.. 9

D^r

Stock of the Western Shore on Account of the Duty of 3^d Sterling p. 52
p hhd. for Arms &c^a as p Samuel Young Esq^r Treasurers
Accounts.

1728	To Ballance as per Contra		£0..12.. 5¾
Feb. 19.	To his Excellency and Coun-		
	cils order to Sam ^l Minskie	£16..10..9	
	To Ditto to pay John Smith	22.. 0..0	
	To Ditto to pay Philemon Lloyd		
	Esq ^r	3.. 0..0	
	To the above Articles amounting to £41..10..9 at		
	25 p Cent		31.. 3.. 0¾
	To his Excellency and Councils order to John		
	Young Armourer		40.. 0.. 0

U. H. J.	To my Salary for Receiving £154..15..8 at 2½ p Cent	3..17.. 4½
June 12.	To Ballance due to be remitted	79.. 2.. 9½
		<hr/> £154..15.. 8½

1730		
Aug st 19.	To Bills remitted Captain John Hyde by the Hands of John Beale and Robert Gordon Esq ^r	79..18.. 0
Oct. 27.	To my Salary for receiving £236..5..5¼ at 2½ p Cent	5..18.. 9½
	To Ballance due to be remitted this is remitted and £1..5..11¼ Overpaid	229..11.. 5¼
		<hr/> £315.. 8.. 2¾

D ^r		
1730	To Bills of Exchange remitted Captain	
Nov. 2 ^d	John Hyde and company by John Beale and Richard Warfield	230..17.. 4½
July 17.	To Bills Exchange paid Amos Woodward p order John Young	40.. 0.. 0
Aug. 11.	To Ditto remitted as p Receipt of John Beale & Edm ^d Jenings Esq ^r	90..14..11
	To Sallary for receiving £247..6..0¼ p Contra	6.. 3.. 8
	Ballance due to be remitted	109.. 1.. 5¾
		<hr/> £476..17.. 5¼

1731.	To Cash paid John Young to part of his Excellency Samuel Ogle Esq ^{rs} Orders for £40..0..0 Sterling	£10.. 0.. 0
Nov. 9.	To Bills Exchange Remitted Captain John Hyde and Comp ^a by the hands of John Beale and Robert Gordon Esq ^{rs}	87.. 7.. 3
11.	To D ^o remitted D ^o by the hands of John Beale and Richard Warfield Esq ^{rs}	145.. 6.. 9
	To my Sallary on £96..14..4 p Contra	2.. 8.. 4¼
		<hr/> £245.. 2.. 4¼

1732	To Ballance of the last Account	£39.. 6.. 6½
	To Bills Exchange paid Amos Woodward for John Young remainder of his Order 12 January 1731	30.. 0.. 0

To the Right Honourable the Lord Proprietary					
Order of 15 th February to John Young paid					U. H. J.
Amos Woodward			40..	0..	0
To Ditto to Charles Slye of 15 th of March			20..	0..	0
To my Sallary for receiving per contra					
£188..8..5¼			4..	14..	2
To Ballance due			54..	7..	8¼
			<hr/>		
			£188..	8..	5¼

C^r

1729	By George Plater Esq ^r for Duty 7420					
Oct. 11.	hhds Salary deducted allowance made		072..	2..	3	P. 53
	By Philip Lee Esq ^r for 130 hhds. in Account					
	October 1728 Credit then Omitted		1..	12..	6	
Nov. 4.	By Ditto for Duty on 7043 hhds.		80..	19..	11	
			<hr/>			
			£154..	15..	8	

1730

June 12.	By Ballance then due to be remitted					
	Captain John Hyde		£79..	2..	9½	
Oct. 27	By Benjamin Tasker Esq ^r £131..13..9					
	By Philip Lee Esq ^r Allowances					
	deducted	47..	3..	1¼		
	By George Plater Esq ^r	57..	8..	7		
		<hr/>				
			236..	5..	5¼	

1730

Oct. 30	Ballance due to the Publick		£229..	11..	5¼	
1731 Aug. 11.	By Peter Higgins Protest					
	£28..0..0 Charges 5s. 8d.		32..	8..	3	
	By John Lancaster Protest £48..16..7 Charges					
	5s. 6d.		56..	8..	9	
	By Benjamin Tasker Esq ^r for Duty on 8097					
	hh ^{ds} of Tobacco after Allowances made for		82..	6..	4	
	Loss and Salary deducted					
	By Philip Lee Esq ^r duty on 6620 hogsheads		76..	2..	8	
			<hr/>			
			£476..	17..	5¼	

1731

Oct. 29.	By Ballance then due		£109..	1..	5¾	
	By George Plater Esq ^r		96..	14..	4	
	Ballance due to the Treasurer		39..	6..	6½	
			<hr/>			
			£245..	2..	4¼	

U. H. J. 1732. By Benjamin Tasker Esq^r Duty to the 29
September

	£65..12.. 9
By Philip Lee Esq ^r Duty to same Time	68.. 0.. 7
By George Plater Esq ^r D ^o to same Time	54..15.. 8¼

£188.. 8.. 5¼

D^r

p. 54 Stock of the Western Shore on Account of the 3^d Stert p hhd for
Arms &c. as p Samuel Young Esq^{rs} Treasurers Accounts.

1732

March 20. To Bills Exchange paid the Honour- able Col ^o Mathew Tilghman Ward his Lord- ships Agent as p Receipt for part of the Deficiencies of Tobacco shipt 1730	}	£	s	d
		50..	0..	0
To Ditto my own Bills for the same Account		4..	7..	8¼

£54.. 7.. 8¼

1733 To his Excellency Samuel Ogle Esq ^{rs} order of the 7 th of November 1733 to M ^r Charles Slye Adjutant	}	20..	0..	0
To my Salary on £267..11..6½		6..13..	9¼	
To Bills Exchange remitted by the Hands of Daniel Dulaney Esq ^r to M ^r Samuel Hyde Merchant in London	}	238..15..10		
Ballance due		2..	1..11¾	

£267..11.. 7

1734 To my Salary for Receiving John Ross Esq Bills for M ^r Richard Lees Protest	}	1..	0..11	
May 10. To his Excellency Samuel Ogle Esq ^r Order in Council to John Young		40..	0..	0
To my Trouble in Writing Letters and keeping Accounts with M ^r Samuel Hyde and draw- ing several Orders by your directions in part of what due on that Account	}	2..19..	5¼	

£44.. 0.. 4¼

D^r

1735 To his Excellencys order in Council to John Smith Car- pent ^r	}	Gold	1..	8..	0

U. H. J.

April 21. To my Sallary for re-	} 1..17..11 $\frac{3}{4}$	
ceiving £37..19..7 $\frac{1}{2}$ Gold of Philip Lee Esq ^r as Per Contra		
To Ditto on 98..14..10 at 5 p Cent as prayed		4..18.. 8 $\frac{3}{4}$
Nov 29. To Bills Exchange re-	} 92..17..10 $\frac{1}{4}$	
mitted to M ^r Samuel Hyde by the Hands of Mess ^{rs} Vachel Denton & Richard Francis		
Ballance due	34..13.. 7 $\frac{3}{4}$	0..18.. 3
	£37..19.. 7 $\frac{1}{2}$	98..14..10

C^r

By Ballance as p other Side	£54.. 7.. 8 $\frac{1}{4}$	p. 55
1733 By Philip Lee Esq ^r to the 29 th September		
1733 Cash $\frac{1}{3}$ Advance.	£87.. 7.. 9 $\frac{1}{2}$	
By George Plater Esq ^r to same time	81..14.. 2	
By Benjamin Tasker Esq ^r to same time	98.. 9.. 7 $\frac{1}{2}$	
	£267..11.. 7	

By John Ross Esq ^r Bills Exc ^o M ^r Richard Lees	} 41..18.. 4 $\frac{1}{2}$	
Protest of £36..5..4 and 4..3 Damage		
By Ballance due	2.. 1..11 $\frac{3}{4}$	
	£44.. 0.. 4 $\frac{1}{4}$	

Memd the house disallow'd of £2..19..5 $\frac{1}{4}$		
1735 By George Plater Esq ^r	£51..12.. 6	
Oct. 24. By Philip Lee Esq ^r 28..9..8 $\frac{3}{4}$, $\frac{1}{3}$ Advance £37..19..7 $\frac{1}{2}$ Currency		
By Benjamin Tasker Esq ^r	47.. 2.. 4	
	£98..14..10	

D^r

M ^r Samuel Young Treasurer of the Western Shore in Maryland.	p. 56
1717/8	
Jan ^y 31. To Goods sent p Ellis	£49.. 3..10
1718	
Dec. 31. To Ballance carried to new Account	147.. 3.. 9
	£196.. 7.. 7

U. H. J. Errors Excepted in London the 31st Dec^r 1718
 for M^r John Hyde and Company
 Isaac Pettissier

C^r

B 1717 Dec ^r 23.	By John Abingtons Bill	£24..10.. 6
p. 57 1717/18 Jan. 10 th	By William Bushells Ditto	4..19.. 7
Feb. 8 th	By Michael Holmes Ditto	£3..11..—
	By Ditto Ditto	2..11..—
March 1.	By William Shapleys Ditto	£18.. 7..8
	By John Jarmans Ditto	4.. 4..6
	By Gideon Broadeds Ditto	4.. 7..6

26..19..8

Deduct for Charges.

7..8

26..12.. 0

17.	By Randall Eatons Ditto	50..12..7
	By Richard Blevens Ditto	5..15..6
	By John Lancasters Ditto	3..13..1

60.. 1..2

Deduct Charges

18..2

59.. 3..—

C^r

March 26.	By Clement Nicholsons Ditto	5..14.. 6
1718 April 7.	By Stephen Tuckers	
	Ditto	4..17.. 6
	By Robert Gibbs Ditto	7..18.. 0

12..15.. 6

Deduct Charges.

3.. 6

12..12..—

Aug st 14.	By Thomas Wrights Ditto	14..19.. 9
	By John Clarksons Ditto	7..—..—
	By William Coppels Ditto	8.. 9.. 0
	By Randall Eatons Ditto	5..18.. 6

36.. 7.. 3

Deduct Charges.

11.. 3

35..16..—

Oct. 9.	By Thomas Gales Ditto	13.. 3.. 6
	By John Bells Ditto	2.. 1..—
	By Samuel Bowmans Ditto	6..—.. 3

21.. 4.. 9

Deduct Charges

6.. 9

20..18..—

£196.. 7.. 7

D^r

U. H. J.

M^r Samuel Young Treasurer of the Western Shore Maryland.

p. 58

1723/4

March 9. To Goods sent you p James £30..19.. 2

1724..19 To Protesting Samuel Perries Bill

£32..13 .. 4.. 6

June 24. To Ballance due to you 813.. 1.. 2

London 25th June 1724

Errors Excepted for self and Company

Sam: Hyde

C^r

1718

Dec. 31. By Ballance of your last Account sent. £147.. 3.. 9 p. 59

1723 June 22^d By William Hollands Bill 8.. 3.. 11

August 6. By John Cockey 50.. 0.. 0

By George Letton 91.. 9.. 0

Oct. 4. By William Robertsons 9..18.. 0

1723/4 Jan. 4. By Richard Woods 35..17.. 9

" 21 By Isaac Scarths £77..5..10

By George Balls 24..6..10

By James Lloyds 4..3.. 3

105..15..11

22 By Caleb Dorseys 44.. 0.. 0

Feb. 6. By William Hollands 15..17.. 8

" 18. By Vachel Dentons 26.. 0.. 0

18. By Thomas Bordleys Bill 45.. 0.. 7

Mar. 3. By Joseph Chews 1..19.. 2

6. By John Pearmans 47.. 4.. 2

1724 27. By John Mackalls 10..—..—

April 1. By Daniel Herberts 68..18..10

23. By Robert Hewitts 86.. 1.. 8

30 By James Holmcards 30..—..—

May 27 By John Websters £19..7..8

Charges. 7..8

19..—..—

June 8. By John Bradfords Bill 1..14.. 6

£844.. 4..11

D^r

Samuel Young Esq^r Treasurer of the Western Shore

p. 60

1724 October 15. To Goods sent p the Charles £573.. 7.. 3

Nov. 24. To Charges on Protesting 2 Bills viz.

John Aitens £39..18 Protest and Postage 9.. 6

John Summers £45..1..10 Protest 4.. 6

574.. 1.. 4

Dec. 17. Ballance Due to Samuel Young Esq^r 361.. 6.. 3

£935.. 7.. 6

U. H. J. NB Richard Warfields Bill on John Furley £22..17..10 is accepted and when received shall give your Acco^t Credit for it And for John Nicholls Bill on Our selves for £3 which is Protested and paid for Honour of the Endorser

C 486 D^r Samuel Young Esq^r Treasurer of Maryland for the Province of Maryland

1725/6 Feb. 1. To Goods sent you p Brooke £6.. 6.—

1726 May 21. To Ballance carried to your new Account. 660.. 4.. 5

London 21st May 1726

Errors Excepted for Mess^{rs} John Hyde & Company
James Hubbard

£666..10.. 5

C^r

1724

June 24. By Ballance of last Account sent £813.. 1.. 2

p. 61 Aug. 19. By Philip Wilkinsons Bill 68.. 6.. 4

October 27. By Alexander Mains

Bill on D main £19..11..8

K Palmers on Ditto 36.. 8..0

55..19..3

Deduct for Exchange 1..19..3

54.—..—

£935.. 7.. 6

London the 17th December 1724

Errors Excepted for M^r John Hyde & Comp^a
John Hoxton

1724

Dec. 17. By Ballance of your last Account sent £361.. 6.. 3

1724/5 Feb. 19. By Richard Warfields Bill 22..17..10

1725 } By Thomas Nicholls 3..—..—

May 23 }

1725/6 } By Daniel Hutching's 57.. 4.. 6

Jan. 19 }

Feb. 7. By Nathaniel Taimers 41.. 7.. 4

March 1. By Joseph Pearsons £52..4..8

William Ewens's 36..7..8

88..12.. 4

23 By William Hollands 37..15.. 6

24. By Leonard Hollidays 54.. 6.. 8

£666..10.. 5

D^r

Samuel Young Esq^r Treasurer of the Western Shore Maryland
1728

U. H. J.
D 604
p. 62

Sept. 16.	To Charges Protesting Thomas Mon-	}	£—.. 5.. 2
	teiths Bill £68 Protest and Postage		
Oct. 11.	To Ballance carried to New Account		958..10.. 9
	London 11 th October 1728		
			<u>£858..15..11</u>

Errors Excepted for M^r John Hyde & Company
James Hubbard

D^r Samuel Young Esq^r Treasurer of Western Shore, Maryland D 604-103

1728 Nov. 16.	To Goods sent you p Mudge		£119..12.. 3
1729/30 Feb. 12.	To your Order paid Thomas	}	35..11..—
	Beake for Goods bought for you		
28	To Charge and Commission on said Goods	}	3.. 2..10
	p William Lea		
1730 April 15.	To Charges Protesting Peter	}	—.. 9.. 9
	Hogginn's Bill £28 4s. 3d. and Joseph Lancas-		
	ters £48..16..7—5s. 6d.		
October 29.	To your Bill to Richard Bennett		187..13.. 6
Nov. 30.	To Ballance remains due to you		861.. 7.. 2
			<u>£1207..16.. 6</u>

London 30th November 1730

Errors Excepted For M^r John Hyde & Company
James Hubbard

C^r

1726

May 21.	By Ballance of Account last Sent	£660.. 4.. 5	p. 63
Sept. 6.	By Duncan Forginsons Bill	£11..—..—	
	John Lancasters	30..15.. 1	

	41..15.. 1
Charges	15.. 1

41..—..—

1727

July 8.	By James Lutwidge Bill	£9.. 5..—
	Arch: Buchanans	40.. 0..11
	William Grayhams	31..14.. 4
		<u>81.. 0.. 3</u>
	Exchange	2..19.. 3

78.. 1..—

August 28.	By John Dunkins Bill	107.. 9.. 6
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U. H. J. 1728 Sept. 7.		By William Dunlaps		
		Bill	£9..—..—	
		George Ronalds	64..18..—	
			<hr/>	
			73..18..—	
		Exchange	1..17..—	
			<hr/>	
			72.. 1..—	
			<hr/>	
			£958..15..11	
			<hr/>	
1728				
October 11.		By Ballance of your Account		
		last Sent	£958..10.. 9	
1729 Nov. 13.		By Peter Patriarches Bill	15..13..11	
1729/30 Jan. 7.		By Gilbert Harri-		
		sons Bill	£21.. 9.. 3	
		Charges	8.. 3	
			<hr/>	
			21.. 1..—	
February 12.		By Edward Saunders's		
		Bill	£32.. 9..—	
		Charges	12.. 6	
			<hr/>	
			31..10.. 6	
June 1.		By Elizabeth Cardes Bill	15..12.. 4	
July 8.		By Joseph Taylors		
		Bill	£1.. 9..—	
		Postage	—.. 1..—	
			<hr/>	
			1.. 8..—	
Aug. 3 ^d		By Henry Hunts Bill	164..—..—	
			<hr/>	
			£1207..16.. 6	
			<hr/>	
		D ^r		
p. 64		Samuel Young Esq ^r of the Province of Maryland		
		July 24.		
		1731 To Charges Protesting Peter Patri-		
		arches Bill £13..7..5	£.. 4.. 3	
		Oct 20. To Ballance carried to new Account	1181..10.. 1	
		London 28 th October 1731		
			<hr/>	
			£1181..14.. 4	
			<hr/>	
		Errors Excepted for M ^r John Hyde and Company		
		James Hubbard		
		D104,502 D ^r Samuel Young Esq ^r For the Province of Maryland		
		1732 July 14. To Charges Protesting Richard		
		Lees Bill £36..5..4	£—.. 4.. 3	
		Sept. 30. To Ballance carried to new Ac-		
		count	1492.. 9..11	

London 30th September 1732
Errors Excepted For M^r John Hyde and Company
James Hubbard

C^r

p. 65

1730	Nov ^r 30.	By Ballance of Account last sent	£861.. 7.. 2	
1730/1	Feb ^{ry} 5.	By John Flints Bill	49..18.—	
	" 20.	By Richard Snowdens Bill	113.—.—	
1731	May 8.	By Gideon Villeneuves Bill	29.. 1.. 2	
	July 21.	By William John- sons Bill	£50..11.. 6	
		Charges	0..14.. 6	
				49..17.—
Sept ^r 25.		By John Lancasters Bill	£30.—.—	
		Charges	10.—	
				29..10
Oct. 2.		By John Whitlows Bill	£49..17.. 9	
		Charges	16.. 9	
				49.. 1.—
				£1181..14.. 4
1731	October 20.	By Ballance of your Account last Sent	£1181..10.. 1	
	" 21.	By Daniel Watts Bill	20.—.—	
1731/2	Jan. 1.	By Benjamin Norris's Bill	25.—.—	
	Feb. 4.	By Edward Col- lins Bill	£25..11.—	
		Charges	9	25.. 2.—
	March 1.	By Thomas Beals Bill	£18..16.. 5	
		Postage	2	
			18..14.. 5	18..14.. 5
1732	April 14.	By William Spevens Bill	60..15..10	
	May 26.	By George Platers Bill	29..12.. 9	
	July 13.	By John Youngers Bill	3..16.—	
		By Given Brath- waits Bill	£45..14..11	
		Exchange and Charges	14..11	45.—.—

U. H. J. By Samuel Youngs Bill		12..16.. 8
By Nicholas Chambers Bill		54..18.. 2
By George Forbus's Bill		7.. 0.. 3
By Justinian Jordans Bill	£8..11.. 7	
Charges.	3.. 7	8.. 8.. 0

£1492..14.. 2

D^rp. 66 Samuel Young Esq^r of Maryland Treasurer of the Western Shore

1733 July 14.	To your Bill to Lord Baltimore	£128..13.. 7
1733/4 Jan. 28.	To Ditto to Samuel Ogle Esq ^r	200..—..—
1734/5 Feb. 15.	To Ditto to Charles Slye	40..—..—
1735 May 17.	To Ditto to Onorio Razolini	20..—..—
Aug. 29.	To Ditto to Charles Slye	20..—..—
Dec ^r 23.	To Ditto to Achsah Woodward	15.. 7.. 6
1735/6 Jan. 26.	To Ditto to Charles Slye	20..—..—
Sept. 24.	To Ditto to Onorio Razolini	61.. 3..—
	To Charges Receiving Bills	—..18.. 7
	To Ballance due to you	1078..—..—

£1584..12.. 8

1724

8^{ber} 1 Captain John Hyde and Company D^r to Mich^l Coles for Goods viz.

No. 166	6 Barrels and 1 quarter of fine Powder	£21..17.. 6
P M	25 Quarter Barrels for the Powder	1.. 0..10
	Paid Waterage to Graves end	3.. 3

£23.. 1.. 7

1st June 1724 Bought of John Thompson

48	Drums at 19/ ^s p p ^s	£45..12..—
24	Packing Casks @ 5 ^s p Cask	6..—..—
24	Trumpets @ 33/ ^s	39..12..—
144	Drum Heads @ 2/6 ^s ^d	18..—..—
3	Boxes and Packing	—.. 7.. 6

£109..11.. 6

D^r

U. H. J.

March the 18th 1723/4

Samuel Carson Sold John Hyde and Company

100 Pair Holsters and Caps and Straps @ 5s. 9d.	£28..15.. 0
100 of Buckles and Straps @ 1s. 6d.	7..10.. 0
100 Carbine Belts with Buckles @ 3s. 6d.	19.. 4.. 4
100 Cartoach Boxes @ 1s. 3d. in Gold	6.. 5..—
Packing and Carrying	3.. 8

£61..17..—

Captain John Hyde and Comp^a: Bought of Math: Hotham

N^o 166 London January 18. 1723

4 Doz ½ Militia Discipline @ 10d £2.. 5.. 0

C^r

1732 Sept. 30. By Ballance your last Account sent

£1492.. 4..11

1736 Mar. 31. By Daniel Pews Bill

36.. 2..—

July 16. By William Deacons Bill

19..10.. 9

Dec. 31. By John Sprys Ditto

36..10.. 0

Errors Excepted London the 1st November 1737

For M^r Samuel Hyde

ᵕ William Allen

£1584..12.. 8

SJM London January 20th 1725/6

155 Invoice of Goods Shipt on Board the Regard Clement Brooke Master for the proper Account and Risque of the Province of Maryland and go consign'd to Samuel Young Esq^r in Maryland Viz.

Glazier Catherine Smith £1.. 0.. 8

Iron Thomas Moseley 4..13.. 9

5..14.. 5

Entry Cocketts Searchers and Dep^s fees £0..2..0

Cartage Porters and Warehouse 0..1..6

Wharf, Shipping Lighter &c^a 0..2..0

Bill of Lading and Primage 0..3..0

0.. 8.. 6

Commission 2½ ᵕ Cent 0.. 3.. 1

£6.. 6.. 0

p. 67

U. H. J. Sir London 20th January 1725/6

Inclosed is Bill of Lading and Invoice of the Goods Shipt you on Board the Regard Clement Brooke Master which hope you will receive in Safety and find Right I am for self & Company Sir

Your humble Servant

John Hyde

C^r

N^o 155 M^r Hyde D^r To Catherine Smith
Jan. 8th 1735/6 To 48 Crown Squares at 2s. 6d.

p foot ¼
To a Box

£0..19.. 8¼
0.. 1.. 0

£1.—.. 8¼

Mess^{rs} John Hyde and Company

1725 Bought of Thomas Moseley

Dec ^r 30.	In a Cask		0.. 1.. 8
	12500 flatt pointed 6 nails @ 2/10 ^d		1..15.. 5
	12500 “ “ 8 ^d Ditto @ 3/10 ^d		2.. 7..11
	500 of “ “ 30 ^d Ditto @ 17/ 6 ^d		0.. 8.. 9

£4..13.. 9

London February the 1st 1723/4

PM Invoice of Goods Shipt you on Board the Speedwell John James
N^o 166 Master for the Proper Account and Risque of the Province of Mary-
p. 68 land and go Consign'd to Samuel Young Esq^r in Maryland afore-
said viz.

Powder &c ^a Michael Coles	£23.. 1.. 7
Gunns Looker	6.. 3.. 6

29.. 5.. 1
1.—

Bill of Lading

Primage	£0.. 5..0	} —..18..—
Entry Cockett Searchers and Deputies fees	0..10..6	
Porters Wharf Lighter and Shipping Commission 2½ p Cent.	0.. 2..6	

—..15.. 2
£30..19.. 3

Sir

Inclosed is Bill of Lading and Cost of the Powder and Gunns Shipt you on Board the Speedwell Captain John James which hope you will receive in Safety and to Content I am

Sir Your most humble Servant

John Hyde

January 9th 1723/4
 Captain John Hyde and Company Dr To Michael Coles Viz. U. H. J.
 6¼ Barrels fine Powder £21..17.. 6 N^o 166
 25 Quarter Barrels for the Powder 1..—..10
 Waterage to Gravesend —.. 3.. 3

£23.. 1.. 7

1723 Captain Hydes Bill
 February 4. For 1 Bridle Lockt Bullet Gun with
 Moulds £2..—..—
 For 1 Gun for Small Shot 1..15..—
 PM For 1 Carbine and Moulds —..16..—
 For 2 Pair Pistols @ 15/each 1..10..0
 For 1 Box for the things 0.. 2.. 6

£6.. 3.. 6

Invoice of Goods Shipt in the Charles Captain William Mudge PM
 Master for Proper Account and Risque of the Province of Maryland p. 69
 Consign'd to Samuel Young Esq^r viz: N^o 166

Gunns &^a Robert Looker £349.. 6..—
 Powder Michael Coles 23.. 1.. 7
 Drums and Trumpets John Thompson 109..11.. 6
 Carbine Belts 61..17..—
 Books Math Hotham 2.. 5..—

Bill of Lading £ .. 1..— } 541..15.. 7
 Freight 10..10..— }
 Primage paid to the Master 1.. 1.. 0 } 17..12..—
 Entry Cocketts Searchers & Deputy }
 fees 1..10..— }
 Wharfage Shiping & Lighter &^a 3.. 2.. 6 }

Commission @ 2½ p Cent 13..19.. 8

£573.. 7.. 8

Sir September the 29th 1724
 Inclosed is Bill of Lading and Invoice of Goods Shipt you on
 Board the Charles William Mudge master which hope you will re-
 ceive in Safety and to Content

I am for self and Company
 Sir Your friend and humble Servant
 Samuel Hyde

U. H. J. PM	Mr Hydes Bill Bought of Robert Looker	
1724 Aug. 8 th	For 200 Carbines or Slug Pieces at 16/ p Gun	£160..—..—
	For 200 pair of Pistols at 18/ p Pair	180..—..—
	For 8 Cases for 200 Carbines with Ribbs and 100 Belts and Car- touch Boxes @ 6/ each	2.. 8..—
	For 4 Cases for 25 Pair of Pistols 25 pair of Holsters and 25 Bucketts Each 7/6 ^d	1..10..—
	For 2 Cases for 50 Pair Pistols each	—..15..—
		<hr/> 344..13..—
	Cartage to the Water Side	7.. 6
		<hr/> 345..—.. 6

22	London the 8 th Nov ^r 1728	
p. 70 PM	Invoice of Goods Shipt on Board the Charles William Mudge for the Account and Risque of the Province of Maryland and Go consign'd to Samuel Young Esq ^r of said Province Viz.	
	Gun Powder Samuel Roberts	£104..10..—
	Books Mat: Hotham	10..—..—
	Entry Cocketts and Searchers fees	£1.. 7.. 6
	Cart Porters and Warehouse	3..—
	Wharf Shiping and Lighters	2.. 0
	Primage paid the master	10..—
	Bill Lading	1..— 2.. 4..—
		<hr/>
	Commission 2½ p Cent	2..18.. 3
		<hr/> £119..12.. 3

Sir. Inclosed is Bill Lading and Invoice of Goods Shipt in the Charles William Mudge for the Province of Maryland which hope you will receive in Safety

I am for Self and Company

Sir Your humble Servant

John Hyde

1728	} Captain John Hyde and Company Bought of Samuel Roberts	
Oct. 18		
	120 Quarter Barrels of Gun Powder @ 65/ p Barrel	£97..10.. 0
Nov. 22.	To 120 Casks @ 10 ^d each	5..—..—
	Porterage Wateridge and Cooper &c.	2..—..—
		<hr/> £104..10.. 0

London October 17th 1728

U. H. J.

N^o 22 Captain John Hyde and Comp^a Bought of Matthew Hotham
6 Dozen ½ Art of War @ 2^s..6^d £9..15.—
A Trunk 5.—

£10.—.—

An Account of Goods Bought for the Council Chamber in Mary- p. 71
land and Delivered to M^r Hyde 6 February 1729

Paid for 12 Rushia Leather Chairs Brass nail'd	£	s	d
@ 22 ^s Each	13..	4..	0
Matts and Packing the same	0..	6..	0
A Large Elbow Chair for the same Leather	3..	7..	0
A Candeleer with Arms Gilt with Gold	7..	10..	0
A Ballance Weight for Ditto Gilt in Gold weigh- ing 46 lb	1..	0..	0
A Double Pulley for Ditto and Line for Ditto	1..	5..	0
6 Pair Brass Arms or Scones @ 7 ^s ..6 ^d each	2..	5..	0
A Persian Carpet	5..	5..	0
A Large Case for the Great Chair, Carpet and Scones	0..	10..	6
A Large case for the Candeleer, Ballance Pullys Line	0..	11..	0
Portridge in carrying things to M ^r Hydes and } Coach Hire up and down in Buying the things }	0..	7..	6

Paid Thomas Beake Esq^r

£35..11.. 6

Entry Cocketts and Searchers	£0..7.. 6	}	2.. 4..—
Cartage and Porters to the Water Side	2.. 6		
Wharf Shiping and Lighters	8..		
Primage paid the Master	1..5..—		
Bills Lading	1		

Commission 2½ p Cent

18..10

£38..13..10

D^r

Stock of the Eastern Shore on account of the Duty of 3^d Sterl c
p Hogshead for Arms &c^a as p Robert Ungle Esq^r Treasurers p. 72
Accounts

1717 To Salary of £13..3..9 at 2½ p Cent	£0.. 6.. 7
To Ballance due on this Account in Sterling Cash.	12..17.. 2

£13.. 3.. 9

U. H. J. 1717	To Salary of £25..6..8 at 2½ p Cent	0..12.. 8
	To Ballance due on this Account	37..11.. 2
		<hr/> £38.. 3..10 <hr/>
1718		
April 29	To Sallary of £41..10.—	£1.—..—
	To Ballance due on this Account 29 th April 1718 in Sterling	78.. 5.—
		<hr/> £79.. 1.. 2 <hr/>
1718	To Salary of £48..3..1	£1.. 4.. 2
	To Ballance due on this Account 2 ^d Sept. 1718	125.—.. 2
		<hr/> £126.. 4.. 4 <hr/>
1719		
May 26.	To Salary £32..17..2 at 2½	0..16.. 5
	To Ballance due on this Account Sterling	157.—..11
		<hr/> £157..17.. 4 <hr/>
1719	To Salary of £101..17	£2..10.. 9
	To Ballance due on this Account Sterling	256.. 7.. 2
		<hr/> £258..17..11 <hr/>
1720	To the Order of Governor and Council to Col ^o Tilghman for	187..13.. 6
	To Salary of £37..10	..18.. 9
	To Ballance	105.. 4..11
		<hr/> £293..17.. 2 <hr/>
1720	To Salary of £29..11..4.	£0..14.. 9
	To Ballance due to the Country 26 July 1721.	135.. 0.. 3
		<hr/> £135..15.. 0 <hr/>
C ^r		
p. 73	By William Bladen Esq ^r for the duty of 3 ^d p hh ^d for Arms to 4 June 1717	12.. 7.. 8
	By Arnold Elzey for the same duty to 30 th May 1717	16.. 1
		<hr/> £13.. 3.. 9 <hr/>

1717	By Ballance due on this Account 6 June 1717	£12..17.. 2
Sept. 9.	By the Naval Officer at the Port of Oxford	25.. 6.. 8
		<hr/> £38.. 3..10
	By Ballance of my Account 30 th of September 1717	£37..11.. 2
	By William Bladen Esq ^r his Account to 30 th Sept 1717.	37.. 1..10 ³ / ₄
	By Ditto to 29 th April 1718	4.. 8.. 1 ¹ / ₄
		<hr/> £79.. 1.. 2
	By Ballance due on this Account 29 th April 1718	78..—.. 5
	By M ^r Arnold Elzey his Account to 1 st June 1718	12.. 2.. 5
	By the Naval Officer at Oxford for his Acco ^t to 2 ^d Sept. 1718	36.. 1.. 6
		<hr/> £126.. 4.. 4
2 ^d Sept.	By Ballance on this Account	£125..—.. 2
	By M ^r Arnold Elzey for the duty of 3 ^d p hh ^d	21..17.. 9
	By M ^r Benjamin Tasker for Ditto	10..19.. 5
		<hr/> £157..17.. 4
1719		
May 26.	By Ballance on this Account	£157..—..11
	By the Naval Officer at Oxford for the said Duty	38..15.. 3
	By M ^r Arnold Elzey Naval Officer at Pocomoke	16.. 1.. 9
	By M ^r Benjamin Tasker for Ditto	35.. 7.. 6
March 18.	By the Naval Officer at Oxford for Ditto	11..12.. 6
		<hr/> £258..17..11
1720		
March 25.	By Ballance due on this Account	£256.. 7.. 2
	By the Duty of 3 ^d p hh ^d to September 2 ^d 1720.	37..10.. 0
		<hr/> £293..17.. 2

U. H. J. Cr

By Ballance due to Publick	£105.. 4.. 11
By the Naval Officer at Oxford 1721	24.. 1.. 3
By D ^o of Col ^o Elzey	5.. 10.. 1
	<hr/>
	£134.. 16.. 3
	<hr/>

p. 74 D^r Stock of the Eastern Shore on Account of the Duty of 3^d Sterl
p hh^d for Arms &c^a as p Robert Ungle Esq^r Treasurers
Accounts.

To Salary of £133.. 1.. 7½	£3.. 6.. 6
To Ballance due	264.. 15.. 4½
	<hr/>
	£268.. 1.. 10½
	<hr/>

1722 To Salary of £71.. 4.. 0	£1.. 10.. 7½
To Ballance due on this Account	334.. 8.. 8½
	<hr/>
	£335.. 19.. 4
	<hr/>

1723 To Bills of Exchange Remitted to Captain Hyde	£175.. 2.. 8
To D ^o 4 th June 1724	159.. 6.. —½
	<hr/>
	£334.. 8.. 8½
	<hr/>

To Salary of £54.. 9.. 9	£1.. 7.. 3
To Ballance due on this Account	53.. 2.. 6
	<hr/>
	£54.. 9.. 9
	<hr/>

1724 To Salary of £40.. 4.. 5	£1.. —.. 1½
To Ballance due on this Account	92.. 6.. 9½
	<hr/>
	£93.. 6.. 11
	<hr/>

1725 To Ballance due on this Account	£93.. 12.. 0½
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D^r Same Stock on Account same Duty as p Account Samuel Cham-
berlain Esq^r in Behalf of the Administratrix of Robert Ungle
Esq^r late Treasurer

1726 July 26. To John Caldwell p Order 16 th June 1726	£105.. 8.. 9
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C ^r	By Ballance	135.. 0.. 3	U. H. J.
	By Naval Officer Oxford	32..17.. 6	P. 75
	By the Naval Officer Annapolis	43..14.. 1½	
	By Ditto Pocomoke	10..10.. 0	
	By Ditto Oxford	46.. 0.. 0	

£268.. 1..10½

Sept. 22 ^d , 1723.	By Ballance due on this Account	264..15.. 4
Aug. 26 th	By the Naval Officer at Oxford	} 28.. 0.. 0
	for the said Duty to the 26 th	
	August 1723	
Oct. 19 th	By Benjamin Tasker Esq ^r	43.. 4.. 0

£235..19.. 4

1723 Oct. 18 th	By Ballance on this Account	£334.. 8.. 8½
	By the Naval Officer at Oxford for the said	} 21.. 9..10
	Duty to the 4 th September 1724	
	By Benjamin Tasker Esq ^r to 25 th September	
	1724	25.. 9..11
	By Col ^o Arnold Elzey to 24 June 1724	7..10.. 0

£54.. 9.. 9

Oct. 24.	By Ballance due to the Publick on this	
	Account	53.. 2.. 6
	By Naval Officer of Pocomoke to 24	
	June 1725	4..17.. 5
	By Naval Officer of Oxford for Ditto	13..19.. 3
	By Benjamin Tasker Esq ^r for D ^o to 25	
	September 1725	21.. 7.. 9

93.. 6.. 9½

C ^r		
1723 Nov ^r 2.	By Ballance due on this Account	£92.. 6.. 9½
	By Naval Officer at Oxford to 1 st	
	June 1726	1.. 5.. 3

£93..12. 0½

	By Ballance due on this Account	£93..12.. 0½
	By the Duty of 3 ^d p hhd. on 762 hogsheds as Ap-	} 8.. 7.. 9
	pears by Deceāceds Books	
	Ballance to the Estate of Robert Ungle on this	
	Account	3.. 8..11½

£105.. 8.. 9

U. H. J. D ^r p. 76	Stock of the Western Shore on Account of the Duty of 3 ^d p hh ^d for Arms &c ^a as p Charles Hammond Esq ^r Treasurers Acco ^t	
1737		
May	To Salary on £224..17..3½ Sterling at 2½ p Cent	£5..12.. 4½
	To Ballance Transmitted M ^r Samuel Hyde of London	219.. 4..10¾
		£224..17.. 3¼
	To my Salary on £331..15..10½ Sterl at 2½ p Cent	£8.. 5..10½
	To an order Gave M ^r Onorio Razolini as armourer on M ^r Samuel Hyde of London p order of the Gov ^r & Council	40.. 0.. 0
	To Ballance due on this Account Transmitted M ^r Samuel Hyde of London p order of the Gen- eral Assembly	502..14..10¾
		£551.. 0.. 9¼
1738	To my Salary on £201..14..6 Sterl @ 2½ p Cent	£5.. 0..10½
	To the Governor and Councils Order paid M ^r Onorio Razolini dated 13 th July 1738	40.. 0.. 0
	To money paid by M ^r Samuel Hyde for Receiving Bills and Postage Letters as p his Account	2.. 2.. 0
	To Ballance due on this Account Trans- mitted to M ^r Samuel Hyde of London p Order of the General Assembly	657.. 6.. 6¾
		£705.. 9.. 5¼
1739	To Salary on £209..5..11½ Sterl @ 2½ p Cent	£5.. 4.. 9
	To the Governor and Councils order paid Onorio Razolini	40.. 0.. 0
	Ballance due on this Account Transmitted to M ^r Samuel Hyde of London	816.. 5.. 0¼
		£866..12.. 6¾
1737		
p. 77 May	By the Naval Officer of Annapolis for his Account to the 29 th September 1736	£76..16.. 0
	By D ^o of Patuxent for D ^o to same Time	76.. 9.. 3¾
	By D ^o of Potomack for Ditto to Ditto	71..10..11½
		£224..17.. 3¼

1737	By Ballance due on my last Account as p Account rendered the General Assembly in April 1737 Transmitted to M ^r Samuel Hyde of London	219.. 4.. 10 $\frac{3}{4}$	U. H. J.
	By Benjamin Tasker Naval Officer of An- napolis for his Account to the 29 th Sep- tember 1737	119.. 1.. 2	
	By George Plater Esq ^r D ^o of Patuxent for D ^o to same time	77.. 19.. 3	
	By Philip Lee Esq ^r D ^o of Potomack for D ^o to D ^o	134.. 15.. 5 $\frac{1}{2}$	
		<hr/> £551.. 0.. 9 $\frac{1}{4}$ <hr/>	
1738.	By Ballance due on my last Account as p Account rendered to the Convention in May 1738	502.. 14.. 10 $\frac{3}{4}$	
	By Benjamin Tasker Esq ^r Naval Officer of Annapolis for his Account to the 29 th September 1738	63.. 17.. 6	
	By George Plater Esq ^r Naval Officer of Patuxent for his Account to same Time	65.. 19.. 7	
	By Philip Lee Esq ^r Naval Officer of Poto- mack for D ^o to D ^o	71.. 17.. 5 $\frac{1}{2}$	
		<hr/> £704.. 9.. 5 $\frac{1}{4}$ <hr/>	
1739	By Ballance due on my last Account as p Account rendered last Convention of As- sembly in May 1739	657.. 6.. 6 $\frac{3}{4}$	
	By Benjamin Tasker Esq ^r Naval Officer of Annapolis for his Account to 29 Septem- ber 1739	66.. 2.. 6	
	By Geo. Plater Esq ^r D ^o of Patuxent for D ^o to same time	55.. 12.. 0	
	By Philip Lee Esq ^r D ^o of Potomack for D ^o to same time	87.. 10.. 11 $\frac{1}{2}$	
		<hr/> £866.. 12.. 6 $\frac{3}{4}$ <hr/>	
1726	3 ^d p hhd D ^r To my Salary on £91.. 11.. 8 at 2 $\frac{1}{2}$ p Cent Ballance due on this Account	£2.. 5.. 9 $\frac{1}{4}$ 89.. 5.. 10 $\frac{3}{4}$	E p. 78
		<hr/> £91.. 11.. 8 <hr/>	

U. H. J.

D^r

1727	To my Salary on £92..11..10 at 2½ p Cent	£2.. 6.. 3¼
	Ballance due on this Account Transmitted to M ^r William Hunt of London p Order of General Assembly	179..11.. 5¼
		<hr/> £181..17.. 8¾

D^r

1728	To my Salary on £114..7..9¾ at 2½ p Cent	2..17.. 2¼
	Ballance due on this Account Transmitted to M ^r W ^m Hunt of London p order Gen- eral Assembly	294.. 4.. ½
		<hr/> £293..19.. 3

D^r

1729	To my Salary on £96..3..0½ at 2½ p Cent	2.. 8.. 0¾
	Ballance due on this Account transmitted to M ^r William Hunt of London p order General Assembly	384..17..—½
		<hr/> £387.. 5.. 1¼

D^r

1730-1731		
	To my Salary on £157..17..7¼ at 2½ p Cent	3..18..11¼
	Ballance due on this Account transmitted to M ^r W ^m Hunt of London p order General Assembly	538..15.. 8½
		<hr/> £542..14.. 7¾

C^r

p. 79	By Naval Officer of Annapolis to 12 October 1726	£44.. 9.. 6
	By Naval Officer of Oxford to 24 October 1726	41..16.. 4
	By Naval Officer of Pocomoke to 24 June 1726	5.. 5..10
		<hr/> £91..11.. 8

C^r

	By Naval Officer of Annapolis to 8 October 1727	£50.. 2.. 5
	By Ditto of Oxford to 10 October 1727	30.. 9.. 6
	By Ditto of Pocomoke to 24 June 1727	11..19..11
	By Ballance due on last Account	89.. 5..10¾
		<hr/> £181..17.. 8¾

Cr

U. H. J.

By Ballance last Years Account Transmitted	£179..11.. 5¼
By Naval Officer of Pocomoke to 24 June 1728	13.. 2..11
By Naval Officer of Patuxent to 29 September 1726	7..16..10½
By Naval Officer of Annapolis to 10 th October 1728	53..13.. 4¼
By Ditto of Oxford to 29 September 1728	39..14.. 8
	<hr/>
	£293..19.. 3

Cr

By Ballance last years Account Transmitted	£291.. 2.. 0¾
By Naval Officer of Pocomoke to 10 January 1728/9	4.. 6.. 2
By Ditto for Ditto to 25 March 1729	2.. 4.. 2
By Ditto for Annapolis to 22 October 1729	38..18.. 8½
By Ditto for Pocomoke to 29 September 1729	43.. 9.. 5
By Ditto for Pocomoke to 29 September 1729	6..10.. 8
By Ditto for D ^o to 25 March 1730	—..13..11
	<hr/>
	£387.. 5.. 1¼

Cr

By Ballance last years Account remitted	£384..17.. ½
By Naval Officer of Pocomoke to 29 September 1730	3..12.. 1½
By Ditto for Ditto to 25 March 1731	2.. 1.. 2
By Ditto for Annapolis to 3 ^d October 1730	26.. 4.. 0
By Ditto for Oxford to 18 May 1731	57..10.. 8½
By Ditto for Pocomoke to 29 September 1731	9.. 3.. 9½
By Ditto for Annapolis to 1 October 1731	27.. 0.. 5
By Ditto for Oxford to 15 March 1731	26..10.. 2
By Ditto for Pocomoke to 25 March 1732	5..15.. 2¾
	<hr/>
	£542..14.. 7¾

Dr

p. 80

1732	To my Salary on £66..14..4¼ at 2½ p Cent	£1..13.. 4¾
Dec. 11.	To Cash paid the Right Honourable Lord Proprietary By Bills on William Hunt pursuant to an Order of Lord Proprietary and Council dated as in the Margin	603..16.. 8
		<hr/>
		£605..10.. ¾

U. H. J.

Dr

1733	To my Salary on £93..18..7¾ at 2½ p Cent	2.. 6.. 11½
	Ballance due on this Account Transmitted to M ^r W ^m Hunt of London p order Gen- eral Assembly	91.. 11.. 8¼
		<hr/> £93..18.. 7¾ <hr/>

Dr

1734	To the Naval Officer of Annapolis for 3 ^d p hh ^d on 101 hhds. Tobacco lost in } Captain Lyell as p Account	1.. 5.. 3
	Ballance due on this Account	90.. 6.. 5¼
		<hr/> £91..11.. 8¼ <hr/>

1735-1736

Dr

	To my Salary on £139..8..11¾ at 2½ p Cent	3.. 9.. 8½
	To Cash paid the Governor by Order on M ^r Hunt for the purchasing Arms as by Act of Assem- bly in April 1735	91.. 11.. 8
	Ballance due on this Account	134.. 14.. ½
		<hr/> 229..15.. 5 <hr/>

1737

Dr

	To my Salary on £121..6..2¾ at 2½ p Cent	£3..00.. 7¾
	To Cash paid M ^r Razolini by order Governor and Council dated 11 May 1737	3.. 8.. 11
	Ballance due on this Account	249..10.. 8½
		<hr/> £256..00.. 3¾ <hr/>

Memd. this Acco^t wants Credit for 1..6 Sterl

£256..00.. 3¾

Dr

1738	To my Salary on £87..6..11½ at 2½ p Cent	£2.. 3.. 8
	Ballance due on this Account	334..14.. 0
		<hr/> £336..17.. 8 <hr/>

1739

Dr

	To my Salary of £104..11..7 at 2½ p Cent	2..12.. 3¼
	Ballance due on this Account	436..13.. 3¾
		<hr/> £439..15.. 7 <hr/>

C^r

U. H. J.
p. 81

By Ballance last years Account Transmitted	£548..15.. 8½
By Naval Officer of Annapolis to 29 th September 1732	37.. 6.. 0
By Naval Officer of Oxford to 29 September 1732	29.. 8.. 4¼
	<hr/>
	£605..10.. ¾

C^r

By Naval Officer of Annapolis to 29 th September 1733	52..19.. 2
By D ^o for Oxford to 3 ^d May 1733	7.. 1.. 5½
By D ^o for D ^o to 29 September 1733	24..15.. 5¼
By D ^o for Pocomoke to 29 September 1732	1..18.. 9½
By D ^o for D ^o to 16 April 1733	7.. 3.. 9½
	<hr/>
	£93..18.. 7¾

C^r

By Ballance due on last Account rendered April	£91..11.. 8¼
Mem'd no Duty of 3 ^d p hhd Collected this year as appears by Naval Officers Accounts	

C^r

By Ballance due on last Account	£90.. 6.. 5¼
By Naval Officer of Annapolis to 29 September 1735	32..—.. 6
By D ^o for D ^o to 29 September 1736	43..11.. 2
By D ^o of Oxford to 29 September 1736	54..14.. 9¾
By D ^o of Pocomoke to 25 March 1736	9.. 2.. 6
	<hr/>
	£229..15.. 5

C^r

By Ballance due on last Account	£134..14.. ½
By Naval Officer of Annapolis to 29 th September 1737	53.. 9.. 8
By D ^o of Oxford to 29 September 1737	53.. 3..10½
By D ^o of Pocomoke to 25 March 1737	14..12.. 8¼
	<hr/>
	£256.. 3.. ¼

C^r

By Ballance due on last Account	£249..10.. 8½
By Naval Officer of Annapolis to 29 September 1738	36..10.. 9
By D ^o of Oxford to 29 September 1738	41..15.. 4½
By D ^o of Pocomoke to 25 March 1738	9..—..10
	<hr/>
	£336..17.. 8

U. H. J.

C^r

By Ballance due on last Account	334..14.. 0
By Naval Officer of Annapolis to 29 September 1739	49.. 6.. 1
By Ditto of Oxford to 29 th September 1739	34.. 3.. 4
By Ditto of Pocomoke to 29 September 1738	7.. 9.. 4
By Ditto of Ditto to 29 September 1739	13..12..10
	<hr/>
	£439..15.. 7

F D^r Arms for Horse and Ammunition for the Province of Maryland
p. 82 1734/5

Feb. 11.	To 20 half Barrels of Gun Powder shipp'd in the Baltimore Walter Hoxton	34..00.. 0
1734 April 11.	To 20 half Barrels ship'd in the Henri- etta Jernegan Biggs master	34..00.. 0
1735/6 March 6.	To 40 half Barrels of Gun Powder ship'd in the Baltimore Daniel Watts master	75..14.. 0
Nov ^r 29.	To 50 Carabines with Bayonetts and Slings and 50 Cartouch Boxes and Charges thereon ship'd as above	96..14.. 4
1737/8 March 8	To Arms &c sent p Bigges	130..19..10
		<hr/>
		371..08.. 2
	To Ballance remaining due to purchase Horse, Arms and Ammunition	157..18.. 8
		<hr/>
		£529..06..10

p. 83 1733/4

C^r

Jan. 28.	By Col ^o Youngs Order to Samuel Ogle Esq ^r	£200..00.. 0
1735/6 Feb. 26.	By D ^o D ^o to D ^o Deduct Charges receiving Bills	238..15..10 1..00.. 8
1736 May 13	By James Hollidays order to D ^o	237..15.. 2 91..11.. 8
		<hr/>
		£529..06..10

Errors Excepted
London 30th December 1738
Sam: Hyde

Dr The Stock of 3^d p Hogshead for Arms & Ammunition from U. H. J.
1717 to 1739 Sept^r G
p. 84

To Cash received by Samuel Young from 1717 to
1735 £4139..19.. 7¼

To Cash received by Robert Ungle from 1717 to
1726 622..15.. 2¾

To Cash received by Charles Hammond from 1735 }
to 29th September 1739 943.. 9.. 9¼

To Cash received by James Holliday from 1726 to }
29 September 1739 1134..11.. 2

£6840..15.. 9

To Cash received by Col^o Young in }
Currant Gold in the Hands of } £36..1..7½
his Executors }

C^r

By Sundry Payments as p Samuel Young Esq^r }
his Accounts Goods from England and }
Charges thereon & Sundry other Charges as } 3053.. 8.. 4½
p Invoices Shop notes and Accounts Currant
now produced Appears }

By Payments as Appears in the Account of Robert }
Ungle Esq^r Anno 1725 105.. 8.. 9

By D^o to Richard Tilghman Esq^r as p Account
Anno 1720 187..13.. 6

By Sundry Payments as p Account James Holliday
Esq^r 700.. 2.. 6½

By Sundry Payments as p Account Charles Ham-
mond Esq^r 127.. 4.. 9

By the Ballance of Sundry Bills Exchange remitted }
by Samuel Young Esq^r to Mess^{rs} Hyde and } 1078.. 0.. 0
Company }

By Ballance in Esq^r Youngs Ex^{rs} Hands
£34..13..7½ Curr. & 0..18.. 3

By Bills of Exchange remitted to Mess^{rs} Hyde & }
Company by Robert Ungle Esq^r } 334.. 8.. 8½

By Ballance Ditto Remitted to M^r William Hunt }
by James Holliday Esq^r } 436..13.. 3½

By Ballance D^o Remitted to M^r Hyde & Company 816.. 5.. 0¼

By what does not appear to be Accounted for (of
the Money remitted M^r Hyde by Samuel }
Young Esq^r) in any manner } 0..12.. 7

£34..13..7½ Gold £6840..15.. 9¼

By Cash paid by Samuel Young }
Esq^r by his Account 1735 } 1.. 8..0

36.. 1..7½

U. H. J. Edm: Jenings & Ja^s Hollyday Esq^r sent to the Lower House to acquaint the Speaker that His Excellency requires him and the Rest of the Members of that House to attend him immediately in the Upper House to see the Bills passed Both Houses this Session receive the Assent

The Speaker and the whole House attend and present to His Excellency the following Bills Viz.

- Chap. IV An Act for the speedy and effectual Publication of the Laws of This Province and for the Encouragement of Jonas Green of the City of Annapolis Printer
- Chap. V An Act reviving an Act of Assembly of this Province Entituled an Act to prevent cutting up Tobacco Plants destroying Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals guilty of the said Offences
- Chap. VI An Act continuing an Act of Assembly of this Province Entituled an Act for the more effectual Punishment of certain Offenders and
p. 86 for taking from them the Benefit of Clergy
- Chap. VII An Act continuing an Act of Assembly of this Province Entituled a supplementary Act to the Act Entituled an Act for the more effectual Punishm^t of Negroes and Other Slaves and directing the manner of trying of Slaves
- Chap. VIII An Act reviving an Act Entituled an Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned
- Chap. IX An Act reviving an Act Entituled a supplementary Act to the Act Entituled an Act laying an Imposition on Negroes and on several Sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province
- Chap. X An Act for reviving an Act of Assembly of this Province Entituled an Act ascertaining the Gauge and Tare of Tobacco hh^{ds} and to prevent cutting cropping and defacing Tobacco taken on board Ships or Vessels upon Freight
- Chap. XI An Act for the Benefit of the Poor and Encouragement of Industry
- Chap. XII An Act for the Relief of Samuel Deavor a languishing Prisoner in Ann Arundel County Goal Michael Taylor a languishing Prisoner in Prince Georges County Goal William Burroughs a languishing Prisoner in Kent County Goal, James Carter a languishing Prisoner in Cecil County Goal Sarah Butcher a languishing Prisoner in Dorchester County Goal and William Bigges a languishing Prisoner in S^t Marys County Goal

All Which were signed by His Excellency the Governor and assented to on behalf of the Right honourable the Lord Proprietary and sealed with His Lordships Great Seal at Arms, after which His Excellency makes the following Speech

Gentlemen of the Lower House of Assembly

U. H. J.

I was in great hopes after what passed in the year 1734 about the Lower House expelling some of their Members, for having accepted Places under the Government after their Election that no other dispute of the like nature would have been brought upon the Carpet p. 87 again, as you have now done by expelling one of your members for having accepted the Place of Deputy Commissary of Dorchester County since it is very certain, that there is no Law in this Province that puts the least Restraint upon any man as to his accepting of any Place after his Election or that makes him liable to any Penalty for his so doing: And indeed it appears manifestly from Our own Act of Assembly for directing the manner of electing and Summoning Delegates and Representatives to serve in succeeding Assemblies &c that the Legislature of this Province had no such Intention, since they very plainly and clearly express their Sense how far the Laws of England in relation to Elections are to be binding here, Viz. "that no Ordinary Keeper within this Province, during the time of his Ordinary Keeping, or any other Persons disabled by any Laws of England from sitting in Parliament, shall be elected, chosen or serve as a Deputy or Representative in any general Assembly to be hereafter called" And this has been the Universal Opinion and Judgment of all Assemblies since that time, without any one Exception that I have ever heard of till lately to the Contrary; till lately that some Gentlemen seem to have been led away with an Opinion, that the Lower House of Assembly ought to be bound by no Rules but that of their own Will and Pleasure, which they seem to perswade themselves is much for the Advantage of the People they represent, and accordingly it is but a too common Question Cannot the Lower House do what they please with their own Members. But if such a Doctrine was once to be established as Law, the Time may come when the People of this Province will not think themselves much obliged to the first Promoters and Establishers of it.

Every Man of understanding who has a thorough knowledge of the English Constitution, cannot but know that the peculiar Priviledges which Englishmen enjoy above all other nations is, that no man can be disseized of the least of his Rights, but either by the known Rules of the Common Law, or a clear and possitive Law to which the People have given their Assent by their Representatives, and which is equally binding upon the Legislators themselves, as upon the meanest of the People: And indeed Our whole Constitution is so entirely established upon this Principle, that was there any arbitrary Power to be lodged in any of the several Branches of the Legislature it would be unjustifiable in them to act any otherwise than by the known Rules of Law, as they ought to be a pattern of Moderation, Justice and Equity to all Inferior Courts and Magistrates, who may be in any manner concerned in judging of the Rights and Properties of their Fellow Subjects

U. H. J. But it is happy for the People of this Province, that their Rights
 p. 88 and Liberties are not left at the Mercy of any one part of the Legislature, who are severally, by the Frame of Our Constitution, reasonable and proper Checks upon one Another

In the present Case I am now taking notice of, it is very certain that the Government has a legal and necessary Check upon the Lower House of Assembly, as It can, upon their sending any of their members to a new Election without any legal Cause, do him Justice by putting the whole House in the same condition by Ordering a General Re Election, as it has a legal and indisputable Right to do, And indeed it is a Right so necessary to be executed that no Governor can be thought to do his Duty to his Majesty, or the Lord Proprietary, or to take a proper care of the just Liberties of the People if he does not put it in Execution, as often as a proper Occasion Offers for it, And I make no Doubt but your House expected I should have thought my self obliged to have dissolved you immediately upon the present Occasion, however as I have a sincere Desire to do everything in my Power for the real Advantage and Satisfaction of the good People of this Province and am unwilling that any honest and well meaning men should be in any Danger of being led away with notions of the Assembly being dissolved out of any private or sinister view, or to prevent in any manner the hearing of any of their complaints either here, or before the Proprietor or finally before his Majesty at home I have thought it proper to pass over this Occasion and only to Prorogue you as usual, you are therefore by the Advice of his Lordships Council of State prorogued to the first Tuesday in November next, and you are to take notice you are pro[ro]gued to that day accordingly.

Thus Endeth This Session of Assembly begun and held at the City of Annapolis on Monday the seventh Day of July and ending the 29th Day of the same Month in the twenty sixth year of his Lordships Dominion and in the thirteenth year of his Majestys Reign
 Annoq Domini 1740 Jn^o Ross Ct.

p. 89
 [These
 appended
 papers are
 not found
 in U. H. J.]

To his Excellency Samuel Ogle Esq^r
 Governor of Maryland

The humble Address of the House of Delegates of said Province
 May it please your Excellency

Immediately after we had dispatched the Bills for his Majestys Service which your Excellency Recommended to have the first place in Our proceedings we sent to the Upper House Bills for reviving several Laws which had expired at the last Session of Assembly and which are generally acknowledged to be necessary for the Welfare of the People

Most of those Acts having been in Use many years and often reenacted cannot in our Apprehensions require much time for Con-

sideration yet they have now lyen above a Week before that House U. H. J. without being either sent down or any thing said for the unusual detention of them

As this Behaviour of that House not only gives Us Grounds to fear that they do not intend to pass those Laws but also puts an Intire Stop to any further Business with us and consequently accumulates the Countrys Charge without any appearance of having any thing done for the publick good

We therefore Submit it to your Excellencys Discretion whether it may not be more Conducive to the Peoples benefit to have an End put to the Session than to Continue it longer without a prospect of doing any thing for their Advantage

Signed on behalf & by Order of the House

[July 22, 1740]

Philip Hammond Sp^r

Gentlemen of the Lower House of Assembly

I have considered your Address delivered to me yesterday by Col^o Henry the purport of which I find is, “that immediately after “you had dispatched the Bills for his Majestys Service, which I “recommended to have the first place in your Proceedings, you sent “to the Upper House Bills for reviving several Laws which had expired at the last Session of Assembly, which are generally acknowledged to be necessary for the Welfare of the People

“That most of those Acts having been in Use many years & often “reenacted cannot in your Apprehension require much time for Consideration, yet they have now lain above a Week before that House without being either sent down or any thing said for the unusual Detention of them

That as the Behaviour of that House not only gives you “Grounds p. 90 “to fear that they do not intend to pass those Laws, but also puts an “entire Stop to any further Business with you, and consequently accumulates without any appearance of having any thing done for the “publick good

“You therefore Submit it to my Discretion whether it may not “be more Conducive to the Peoples Benefit to have an End put to the “Session than to continue it longer without a prospect of doing any “thing further for their Advantage”

In answer to which I must recommend to you, to look over again my Speech, delivered to you at the Opening of this Session by which you must perceive, that you have not yet dispatched the Bills I recommended to have the first place in your Proceedings

Besides the Bills now ready for my Assent you will find I recommended to you to give some further Encouragement for promoting the raising of the Levies, by an Exemption from Arrests under a particular Sum, which is so necessary for his Majestys Service, that

U. H. J. it is very doubtful whether any considerable number of Men can be raised in this Province without a Bill to that purpose

After this I told you A proper Fund for the defence “ of ourselves
“ and the Province must always be of so great Importance specially at
“ this time that my duty to his Majesty and care of the Subjects under
“ this Government would never suffer me to Omit any Opportunity of
“ earnestly exhorting you to make a suitable Provision for that Pur-
“ pose nor could you (I said) be unmindful of what I recommended
“ to you at the last Session, in relation to a Magazine, and an Amend-
“ ment of Our present Militia Law

“ These Points I told you I judged absolutely necessary to lay be-
“ fore you and press particularly at this Juncture, and that they were
“ of such Consequence that I hoped you would give a Preference and
“ dispatch to them in the first place, before any other Business you
“ might think fit to proceed on, for, I was well assured, you would by
“ such A Conduct rather than any other, approve yourselves dutiful
“ Subjects to his most gracious Majesty, as well as true Friends and
“ Guardians of the Safety, and Well Being of this Province

In Answer to this in your Address you told me “ that the principle
of self preservation would at all times engage you to provide, as far
as lies in your Power, for the Defence of yourselves and the Province,
and that you would in that and all other Parts of your Conduct, use
p. 91 your utmost Endeavours to approve yourselves dutiful Subjects to
his most gracious Majesty as well as true friends and Guardians of
the Safety and wellbeing of this Province.”

But from that time to this I have not heard any thing from Your
House relating to the Bill for the purchasing Arms and Ammunition
for the Defence of the Province, altho that Bill was agreed on by the
two Houses, the last Session of Assembly, to be passed previously to
all other Laws, excepting that for raising Levies for his Majestys
Service, when you told me in your Address of the 4th of June “ that
it gave you no small concern that after the most solemn Protestations
and Assurances you had given me to the Contrary, you should by
me be Suspected of an Intention to keep back the Bill for Arms and
Ammunition, or to deprive the Province of a necessary Fund for its
support, when you could with truth assure me, that there is not A
Member in your House against that Bill ”

To this I may add in your own Words, that the frequent Renew-
ments of this Bill, which with general Approbation have been in use
for many years, give it as great a Sanction as any Agreement of
Conferees can to a new one, and that as you now observe of some
other Bills, that It having been in use many years, and often reen-
acted it cannot require much time for Consideration

You cannot but be sensible of the poor and defenceless Condition
of Our Magazine for Our Arms and Ammunition, This induced me
to tell you in my Message of the 13th of May last, that the present

Laws for regulating the Militia, not “ being sufficiently clear in their U. H. J.
“ Directions about distributing our Arms and Ammunition through-
“ out the several Counties, and the Colonels not being willing or
“ obliged to make themselves Answerable for them, and there being
“ no place of any strength or Security in this City to lodge them in,
“ I was very desirous of having your Advice and Assistance in an
“ Affair of so very great Importance to the province ”

In your Address of the 16th of May instead of giving a direct ans^r
to this you assured me you would deliberately consider of any Propo-
sition I should make for the better distribution and Security of the
“ Provincial Arms and Ammunition, and give any Advice and As-
“ sistance in that Affair as you should think agreeable to me, and con-
“ ducive to the Welfare of the Province ”

Upon this I gave you my Opinion that the Safety of the Countrey
could never be sufficiently provided for without one good Magazine
at least, of such Strength, as might effectually secure Our Arms and
Ammunition, from whence they might be distributed from time to
time, as our Occasions require, at the same time I recommended to p. 92
you to consider the Insufficiency of Our Militia Laws, as to any
Obligation upon either Officers, or private men, to take the Field,
and behave as they ought to do in defence of their Country against
an invading Enemy

To this you answered in Your Address of the 4th of June, “ that
you would very willingly have entered upon the Consideration of
these Matters was there any Probability of having the Result of that
Consideration pass into a Law that Session, if such Law should be
thought necessary ” But what prevents you now Entring upon the
Consideration of an Affair of such Importance to the Province, you
have not yet acquainted me, tho’ I have recommended it to you again
this Session

Gentlemen

If you consider what I have now offered to you with Attention and
Candour, you will easily Judge in what manner you have dispatched
the Bills for his Majestys Service, which I recommended to have the
first place in your Proceedings, and how far short you have come of
what might have been reasonably hoped for, and what may be further
necessary for you to do to Answer the just Expectations of the
Government

I shall not deny but that some of the Laws that now lie before the
Upper House may be of Use to the Country in some respects tho’
they are inconvenient in others But a provision for the defence of the
Province must at all times be absolutely necessary for in case of an
Invasion from a foreign Enemy, without Our being in a condition
to Oppose them, We may be effectually deprived of the Benefit of all
Our Laws whatsoever

U. H. J. As to the great Accumulation of the Countrys Charges which you Complain'd of that must by all Candid and impartial men be imputed to Yourselves, since it is wholly owing to your own Endeavours to [delay] if not destroy the necessary Fund abovementioned

When you have given me a plain Answer to these things I shall be better able to judge whether it may not be more conducive to the Benefit of the People, to have an End put to the Session, than to continue it longer in hopes of your doing something for the Benefit of the People you represent which I sincerely wish you would do and to which I shall contribute by every thing in my Power that is just and reasonable

Sam: Ogle

23^d July 1740

p. 93 To his Excellency Samuel Ogle Esq^r Governor of Maryland

The Humble Address of the House of Delegates of the 2^d Province May it please your Excellency

Since the first and greatest part of the Message your Excellency was pleased to send us on the 23^d July Instant consists chiefly in a recital of former Addresses Messages and Answers, we shall not now enter into the particulars of them, but as they are, or will soon be published, we shall submit them to the Judgment of the World and let them speak for themselves; But it being now no longer Secret that the late and present Conduct of the Upper House with respect to Our Expired Country Laws, is approved of, and Justified by your Excellency, We must beg leave briefly to state the Case, and leave it to Our Constituents and other Impartial Judges to determine in the matter

The Law for raising 3^d p hh^d for purchasing Arms and Ammunition revived in the year 1734 was then made to Continue for three years and to the end of the next Session of Assembly after the three years, a duration it never till then had from the time it was first past in the year 1717. About the time those three years expired, the renewm^t of that Law, with the like unlimited Continuance, was strongly insisted on, and for want of this Houses Compliance in that Point having found it Inconvenient, the Province was kept out of a Session of Assembly for almost three years meerely to keep on foot that and some other Favourite Laws of the Government Altho at the same time the People laboured under many Aggrievances which called loudly for redress, & there is reason enough to believe we should not have had a Session to this time, had not something Intervened immediately relating to his Majestys Service, and which could not with Safety be denied, when offered by this House: Those Laws with many others which particularly concerned the General Utility of the Province and Administration of Justice having by this Accident Expired, Another, till then unheard of Piece of Policy, was Invented in Order to Oblige us to make such Laws, give what money,

and Concede to whatever else should be demanded of Us; which was U. H. J.
 to keep back the Country Bills in the Upper House until we should
 pass those for Money, and agree to every other thing required from
 us; And because we, to prevent the Inconveniences before mentioned,
 had resolved to give the future money Bills their determination with
 a day certain, it was concluded by this new Scheme that all other
 Bills whatsoever should have the same duration, that by all Expiring
 at once, there might be the like Opportunity of Acting the same part
 again and of Compelling the Delegates to comply with whatsoever a
 Proprietor Governor, or Upper House should think fit to propose;
 altho it is well known that the Country Laws before mentioned never
 yet had any other kind of duration than for a time certain and to
 the end of the next Session of Assembly; And notwithstanding this
 Resolution unprecedented in Our Mother Country or any other of his
 Majestys Dominions that we know of, has not been formally com-
 municated to us from Your Excellency, or the Upper House by
 Message, yet it is Clear beyond contradiction, nor has it ever yet been
 denied; neither can We see what other Reason can possibly be given
 for not sending down Our Bills, which have now lain so long before
 that house, contrary to the constant usage of Assemblies p. 94

If the above be the true State of the Case, as it most certainly is,
 who can blame the representatives of a free People for guarding
 against A Practice which in its Consequences must affect their Rights
 in their tenderest parts Which must render their House of Delegates
 a name only or mere Shadow, by depriving them of that Freedom
 of Action, that share in Legislature, which by their Charter and
 Birth Right the People are entitled to which must prostitute them to
 the Sole Power of an Upper House and Subject them at all times to
 the Absolute Will of their Govern^s

We do not conceive it to be matter of Favour in any branch of the
 Legislature to consent to such Laws as have regard to the publick
 Welfare of the People, that being incident to the Office and the Indis-
 pensible duty of all concerned, and therefore think that Consent is
 not to be purchased at any Rate, since it is not the Value of price
 which makes the thing more or less Venal, and it seems to us Impos-
 sible for a People to be free where they have no Share in the Legisla-
 ture or which is in Effect the same, where their Delegates are under
 the Coercive Power of any other Branch of the Legislature

We are sorry to find that after this House had so chearfully Con-
 tributed for promoting his Majestys Service and complying with the
 Royal Instructions you should accuse rather than approve our Con-
 duct and the more so because it is evident we have on that occasion
 Exceeded what the present Condition of the Province can well afford

We must still deny any Endeavour to delay, far less to destroy
 the fund for Our Defence at this time; We gave all the assurances
 men could give at the last Session of the Bill for that purpose, and

U. H. J. it cannot be unknown to your Excellency that A Bill for the same Use now lyes before us ready to pass, whenever our Bills in the Upper House shall be sent us with their Usual duration; And We can with truth repeat, that there is not a member of this House against this Bills passing into a Law, And therefore must in this as in every other part of Our proceedings let the Publick Judge to whom the Want of this and all the other Bills as well as the heavy Expence occasioned by frequent fruitless Assemblies are to be Imputed

We therefore Conclude with the plainness your Excellency desires
 p. 95 by telling you that We will not Introduce the practice of bargaining for what of Right, as British Subjects, the People ought to Enjoy; that the Bill for 6^d p hogshead has had its first reading, but that We are determined to proceed no further in that or any other money Bill that may tax or Burthen the Country (those relating to his Majestys Service only Excepted) until we have a regular return of the long accustomed Method of proceeding from the other Branches of Legislature with this House and of all Our Useful and necessary Bills passed with their Accustomed Duration

Signed on behalf & by Order of the House

[July 25, 1740]

Philip Hammond Speaker

Gentlemen of the Lower House of Assembly

Upon the Perusall of your Address delivered to me yesterday by Col^o Hanson I find that little or nothing In Answer to what I laid before you in my Message of the 23^d Instant therefore must think what I there said was so just and reasonable that it will not admit of an Answer

The greatest Part of this Address, concerning the several Disputes that have passed between you and the Upper House, not relating to myself, I must refer you and every other Person to what has passed in the several Messages between the two Houses on the occasion

I must confess I have a very great opinion of the Honour and Justice of the Gentlemen of the Upper House I know the great Interest they have in the Province, which makes it impossible for them not to wish its Prosperity, and I know the Abilities they have to second their Inclinations, and I am fully perswaded that in all their Proceedings in a legislative Capacity, their views are just and reasonable, and for the true Interest of their Country; but what you mean by saying "It is now become no longer a Secret, that the late and present Conduct of the Upper House, with respect to Our Expired Country Laws, is approved of and justified by me" I must confess myself wholly at a Loss to apprehend, as the greatest part of the expired Country Laws (as you term them) have now actually pass'd both Houses, and consequently must have had their joint Approbation, whereas my Assent or Approbation of them is yet to Come

But whatever my Sentiments may be of the other temporary Laws, U. H. J. I must own I have often expressed my Surprise in Relation to the Conduct of Your House about the Bill for the three Pence p hhd for purchasing Arms and Ammunition for the Defence of the Province and after all the Consideration that I am Capable of, I can very truly and candidly declare, that I think in my Conscience your House entirely in the wrong and that you have put the Country to thrice the Charges they would have been at, if you had passed that Bill in the usual manner.

Whatever I have done or said to Induce you to pass it, I can very truly assure you has proceeded wholly from the Sense I have of my p. 96 Duty to his Majesty the Lord Proprietary, and the Safety and Security of the good People of this Province for whose Welfare this Bill is at least as necessary, as any One Bill that can be thought on by your House, and although I am Obligated by my Station more particularly than others, I have no more private Advantage by it than any other man in the Province; of the Reasonableness of my Behaviour in this Respect I am so fully satisfied, that I shall very willingly and cheerfully Submit it to the Consideration of his Majesty, whenever I shall be called on so to do

And I am perswaded if you would but seriously Consider the indispensable Duty that always must lie upon me and every Succeeding Governor, to press by all the just and legal Ways that can be thought of so very reasonable and necessary A Bill, you would forbear keeping up a Dispute, that must be always unavoidable on the part of the Government, whenever you think fit to Attack it on this Head

As to the Case you state to be left to your Constituents, and other Impartial Judges to determine in the matter, if you will but reconsider it with any Sort of Candour and Attention, surely you yourselves must acknowledge it to be so full of mistakes and Misapprehensions that all Reasonings from thence must entirely fall to the Ground you begin it thus The Law "for raising three Pence per hogshead for purchasing Arms and Ammunition revived in the Year 1734 was then made to continue for three years and to the end of the next Session of Assembly after the three years, a Duration it never till then had from the time it was first made in the year 1717 about the time those three years expired, the Renewment of that Law, with the unlimited Continuance was strongly insisted on, and for want of this House's Compliance in that Point, having found it inconvenient, the Province was kept out of A Session of Assembly for almost three years" &c^a

Now I must own I cannot apprehend that a Continuance to the End of the next Session of Assembly was ever before thought to be an unlimited one, neither can I find that the Upper House ever insisted on such a Continuance to be necessary before the last Session in April 1740 when the then Situation of Affairs might induce every

U. H. J. impartial Person to judge such a Continuance expedient, and even then the Upper House was prevail'd on by your Offer of 6^d p hogs-head instead of 3^d to wave that Continuance, and concur with your House in a Bill for Six Pence p hhd for three years, and supposing for Arguments sake that a Continuance to the End of the next Session

p. 97 was really improper, will it from thence follow that you have a Right to insist on having this very Continuance which you object to in a Bill for the defence of the Province put to every other Law you think fit on the Contrary, has not the Upper House an indisputable Right to leave it out, or put it into every Bill they pass, as they think proper. But to Obviate this glaring Truth, you very roundly assert " that it is " well known that that Country Laws before mentioned never yet had " any other kind of Duration than for a certain Time, and to the End " of the next Session of Assembly " pray Gentlemen are you really so Ignorant of this Affair yourselves as to think this, or do you think you may say any thing to me upon this Argument, pray look in the printed Body of Laws Folio 220 and you will find the Act for relieving the Inhabitants of this Province, from some Aggrievances in the Prosecutions of Suits at Law, only revived and continued from the then Session to the 29 of September 1723

Having now shewn clearly your Mistake in advancing that the Province was kept out of an Assembly for almost three years, for want of Your Houses Compliance with the unlimited Continuance (as you call it) of the Bill for 3^d p hhd, to the end of the next Session of Assembly, which Dispute did not arise till this present year 1740. I shall further shew that your Endeavours to drop that Bill did not at all Arise from the Upper House insisting on the Continuance you mention but that on the Contrary, the Upper House insisting on that Continuance, did in Reality proceed from the Resolution you declared of dropping that Bill for very different Reasons from what you now give, and that I may not do you any [Injury] I shall shew your said Resolution and the Reasons of it in your own Message of the 9th of June 1739 previous to any dispute about the Continuance of the Bill for Arms &c^a you say " The uncertainty whether Peace or War in Europe having subsisted for some time, and there now being the Sums of £2250..11..2 Sterling and £34..13..7¾ Current Gold in Bank arising from that Duty besides upwards of £2500 Sterling unaccounted for in any manner, We have as We think justly concluded that his Excellency and Your Honours have been of opinion that either Arms and Ammunition were useless to the Province, or that there is a sufficient Stock already Provided, otherwise you would never have neglected so essential a part of Your Duty, as is the Care and laying out that Duty had you thought it necessary for the Safety of the People Wherefore, until that money is accounted for and that in Bank laid out &c^a We do not think the Revival of that Bill necessary "

As I am sure every man in your House is now fully Satisfied that U. H. J.
the Charge of £2500 unaccounted for is wholly groundless and that
I can assure you that Arms and Ammunition are sent for to the Value p. 98
of what is in Bank according to the best Calculation that we could
make here, I hope you will allow that these two Reasons wholly
Cease, and as you have not given any others that I can remember,
except those about the Continuance, I hope you will no longer delay
sending up the Bill for Arms &c^a so necessary for the Defence of the
Province

Sam Ogle

26 July 1740

To his Excellency Samuel Ogle Esq^r Governor of Maryland

The humble Address of the House of Delegates of the said
Province

May it please your Excellency

It was because the several matters containd in your Message of
the 23^d Instant have been already sufficiently answered in former
Addresses and Messages and not that we looked upon them as un-
answerable that we did not enter into them particularly in our
last Address And We heartily Wish that We now had it in Our
Power consistent with Our Duty to those who sent us hither to return
Your Excellency an Answer Agreeable to you; but as that seems
Impracticable we think that from the plain manner in which we
declared Our Resolutions in our last Address there was no Room
left to protract this Session any longer when we can see no prospect
of serving the People further by staying here

We never in any of our debates questioned the good qualities or
Estates of the Gentlemen of the Upper House, tho We cannot allow
that they are the only men in the Province of Honour Justice and
Interest and it is from their present Conduct on the present occasion
people must Judge of the reasonableness or unreasonableness of their
views Had Your Excellency been pleased to add to your Encomium
on your Council that a Majority of them hold Places of Profit and
Trust & that the Income of those Places greatly exceeds that of all
their private Estates, a Stranger might perhaps the more easily ac-
count for their differing so much from us in opinion

It is true the Upper House sent down some of Our Laws while we
were preparing our last Address but We did not think that any
reason for altering it since several and the most material of them are
still kept back, and if they should think proper to send them down
before this reaches Your Excellency our Complaints are not the less
Just for their detaining them a month last Session and almost a fort-
night now, and by that means only, running to the Expence of the
Assembly sitting near Six Weeks

p. 99

Your Excellency has indeed been more Explicit in declaring Your
Sentiments and particularly pressing (as you are pleased to say)

U. H. J. the Bill for Arms and Ammunition than any others but can any one think you are in Earnest, when you must be Convinced from the Assurances we have given, that upon the return of the other necessary Laws with their usual Duration you may immediately have that for 6^d per Hogshead, and if that be so essentially necessary as you are pleased to alledge why must it be lost for none other Reason than denying us those Laws no less necessary for the Welfare of the People and Administration of Justice

The great Misapprehensions in our last Address come out it seems to no more than a small mistake in Point of time, and the Omission of a Single Exception that happened 17 years ago in the duration of some of the Laws, as to the first Granting it to be really so (for we shall enter into no dispute about it) does it alter the nature of the thing or is it a fact more or less true because said to happen at a different time from what it really did

And as to the Second Altho at that distance of time the Exception you mention might have escaped the notice of Persons more accurate than we pretend to be, yet we were not Ignorant of it, but casually Omitted Incerting it in Our Address; But how that can affect the matter so as to make it better or worse, we must acknowledge to be beyond Our Apprehension for we can never presume that Your Excellency will say, that this Single Exception constitutes the usual duration as the Upper House did once of the 3^d 7th Act.

Upon the whole Sir we think that it cannot be presumed that We who have raised above £7500 to distress the Catholick King, would not when We judge it necessary raise five or Six hundred Pounds a year for our own defence; that we should be so Stupid as not to provide at all times for our own preservation or that the care of that Preservation should be wholly centered in your Excellency and Your Council

We are well Satisfied that Supplys to a Government are only to be raised on casual incidents, and so Ought to have a fixt duration Altho Laws made for the Administration of Justice ought to have no such Determination, because it would necessarily occasion a failure of Justice, that a free People have the Sole Right of Judging as well of the necessity and quantity of such Supplys as of the manner of raising them And therefore we again tell your Excellency that we will not become purchasers by selling those Supplys to the Government for those other Laws, which it is Our Absolute Right to have even if there was no design of altering their Duration neither will we if we cannot secure to the People the Enjoyment of their useful and
 p. 100 necessary Laws, and preserve the regular and Usual Method of proceedings in Assembly Load them with an Additional Tax or Burthen, as we have before plainly Intimated especially at a time when they are obliged by private Contribution to raise money for Carrying on

their Applications to his Majesty for redress in this and other Ag- U. H. J.
grievances they labour under

Signed on behalf & by Order by the House

[July 28, 1740]

Philip Hammond, Speaker

Gentlemen of the Lower House of Assembly

Upon the most careful Perusall of your Address delivered to me yesterday by M^r Calder, I must confess I could find little or no Answer in it to what I offered to Your Consideration in my Message of the 26th Instant, as every impartial man must see, upon reading over the said Message and this Address of Yours in Answer to it

You indeed say "that you cannot agree that the Charge in your "Message of the 9th of June 1739 of the £2500 Sterling being unac- "counted for was groundless, since from all that the Gentlemen of "the Upper House have yet been able to do, towards making out the "regular Application of that money, you still remain as much unsatis- "fied as to a great part of it as you were of the whole at the time of "that Message " but you do not say what that great part may be that you are still unsatisfied in, for my own part after the most careful Examination into the matter I cannot find the Sum of 2500 Farthings unaccounted for but as I intend to Order all the Accounts of the 3^d p hhd to be published for the Satisfaction of all Persons, I shall not enlarge any further upon that matter here

You are likewise pleased to say of the Gentlemen of the Upper House, "that a majority of them hold Places of Profit and Trust, at Will, and that the Income of those places greatly exceeds that of all their private Estates " but what Grounds you have for so saying, I must confess my self wholly at a Loss to know, you may perhaps have a better Account of the Income of those Gentlemens Estates as well as of the Profit of their Places then I can pretend to, but by all that I can learn, I believe the Fact to be far otherwise than you represent it, and that the profit of the said Places is only a moderate Recompence to Gentlemen of their Fortunes, for neglecting their own Affairs for the Service of their Country, as I believe every Gentleman of your House will acknowledge, whose Turn it may happen to be, to enjoy any of the said Places

I wish with all my heart we could finish the Session to the mutual Satisfaction of all Parties by passing every Law that might be Agreeable to the several Branches of the Legislature, but if that cannot be effected, nothing remains for me to do, but to dismiss you, whenever you acquaint me that no Business lies before you.

29 July 1740

Sam: Ogle

To his Excellency Samuel Ogle Esq^r Governor of Maryland

p. 101

The humble Address of the House of Delegates of the said Province

U. H. J. May it please your Excellency

It is the Sense of this House that the Laws already passed for his Majestys Service are sufficient for the forwarding and providing for the Levies, and as the Commissions may be daily Expected there needs no new directory Bill

And altho this Provision has been chearfully made by this House yet we are prevented from doing any thing for the Service of the Country and therefore as Our necessary Affairs at this Important Season call us to our Respective homes We pray your Excellency will be pleased to put an End to this Session

[July 29, 1740] Signed on behalf & by Order of the House
Philip Hammond, Speaker

PROCEEDINGS
THE LOWER HOUSE OF ASSEMBLY

L. H. J.
p. 137
July 7

At a Session of Assembly held at the City of Annapolis on Monday the seventh day of July In the twenty sixth Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore Anno Domini 1740 by a Proclamation from his Excellency Samuel Ogle Esq^r Governor bearing date the 30th of June last, appeared in the Lower House of Assembly

The hoñble Philip Hammond Esq^r Speaker

For Saint Marys County

For Kent County { M^r Wilson
 { M^r Calder

For Ann Arundel County { Doctor Charles Carroll
 { M^r Vachel Denton
 { M^r Henry Hall

For Calvert County M^r James Weems

For Charles County { M^r William Middleton
 { Col^o Robert Hanson

For Somerset County { Col^o Robert King
 { William Stoughton Esq^r
 { M^r Robert Jenkins Henry

For Talbot County M^r Robert Lloyd

For Cecil County { M^r Joshua George
 { Col^o Thomas Colvill
 { M^r William Rumsey
 { M^r Benjamin Pearce

For Baltimore County { M^r Thomas Sheredine
 { M^r Richard Gist

For Prince Geo. County { Major Edward Sprigg
 { M^r Turnor Wootton
 { M^r Osborn Sprigg
 { M^r John Magruder

For the City of Annapolis { Daniel Dulany Esq^r
 { Captain Robert Gordon

For Queen Anns County { M^r Robert Norrest Wright

Col^o King and Major Sprigg desired to acquaint his Excellency, p. 138 the Governor a sufficient number of Members to Compose a Lower House of Assembly are convened in the Stadt House

L. H. J. Benjamin Tasker and Geo. Plater Esq^{rs} from the Upper House acquaint M^r Speaker the Governor requires the Lower House of Assembly to attend him immediately in the Council Chamber.

M^r Speaker left the Chair, and with the other Members went to the Council Chamber

The Governor made the following speech (See page 1)

His Excellency delivered to M^r Speaker the following Instructions

p. 139 (These are printed in 28 Archives, Council, pp. 214 & ff.)

p. 142 M^r Speaker (with the rest of the Members) returned, and Re-assumed the Chair

The House Adjourns to the morrow morning at nine of the Clock

July 8

Tuesday Morning July 8. 1740

The House met according to Adjournment &c^a

The members were called over, all Present as Yesterday.

M^r John Courts Col^o Henry Hooper, Captain Bartholomew Ennalls, Major Henry Trippe appeared in the House this day.

The Gentlemen appointed on the several Committees last Session, are continued this Session.

Ordered that the Committee of Laws prepare an Address to the Governor on his Speech

Ordered that Daniel Dulany Esq^r Doctor Charles Carroll William Stoughton Esq^r M^r Vachel Denton, M^r Joshua George, Col^o Henry Hooper, M^r James Calder Col^o Thomas Colvill, M^r Robert Jenkins Henry, Col^o Robert King, and Major Edward Sprigg, be a Committee to consider of Ways and Means to raise money to comply with his Majestys Instructions, and that they make their Report to the House.

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

M^r Walter Smith, M^r John Brome, Captain Richard Caswell and M^r William Harris appeared in the House

p. 143 Ordered that M^r Denton acquaint the Reverend M^r Sterling that he is desired by this House to Read Divine Service at 7 of the Clock in the morning and at 6 of the Clock in the evening during this Session

The House Adjourns to the Morrow Morning at 9 of the Clock

[Wednesday] Morning July [9] 1740.

The House met according to Adjournment &c^a

M^r Joseph Hall, M^r Nicholas Goldsborough and M^r Thomas Wilkinson appeared in the House

William Stoughton Esq^r being very sick hath leave of the House L. H. J. to go Home

M^r Calder from the Committee of Laws, brings in the following Address to his Excellency, which was Read, Approved and Ordered to be Ingrossed.

To his Excellency Samuel Ogle Esq^r Governor of Maryland

The humble Address of the House of Delegates of the said Province

May it please your Excellency.

As his Majesty has no Subjects more sincerely devoted to his Person and Government than the Inhabitants of Maryland we return Your Excellency our hearty Thanks for having called Us together and communicated to Us the Royal Instructions so soon after your receipt of them, since you have thereby given Us an early Opportunity of Testifying Our Zeal for his Majestys Service, by complying as far as the Circumstances of this Colony will allow, with what he trusts to and expects from the People of this Province

Our Duty to Our Sovereign must necessarily give the Preference in Our Deliberations, to whatever Regards his Service, and we are determined that shall have all the dispatch the nature and Importance of the Thing can possibly admit of, tho at the same time We are well assured from his Majestys distinguished Benevolence towards all his Subjects he neither desires or expects, We should neglect the Reviving or Enacting such Laws as tend to the general Utility of his People, and have been long in Use amongst them, especially since by the Enjoyment of wholesome Laws and the Redress of Aggrievances, they will be the better enabled as well as more cordially disposed to contribute towards the present Occasion

Altho We hope the Provision we have already made for Encouragement of Levies will not only prove acceptable to his Majesty but also exceeds any thing we have hitherto heard of from any other Colony on this Continent, yet We shall duly consider what further may be necessary for that Purpose consistent with the Welfare of those We represent

The Principle of self Preservation will at all times engage Us to provide as far as lies in Our Power, for the Defence of Ourselves and the Province And we shall in that and all other parts of our Conduct, use our utmost endeavours to approve Ourselves dutiful Subjects to his most gracious Majesty as well as true Friends and Guardians of the Safety and well being of the Province

Which was Read Approved and Ordered to be Ingrossed.

Col^o Levin Gale & James Harris Esq^r from the Upper House p. 144 deliver to M^r Speaker the following Message (See page 4)

L. H. J. And A Bill entituled An Act for the Transportation of Forces and Troops to be raised in this Province for his Majesty's Service to the West Indies, Indorsed (See pages 3 and 4)

Col^o Hammond from the Upper House delivers M^r Speaker a Bill entituled An Act for the further encouragement of Levies in his Majestys Service in the West Indies (See pages 3 and 5)

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r John Read appeared in the House

The Address to his Excellency being Ingrossed was Signed by Order on Behalf of the House by the Honourable Speaker

Col^o Hanson and Col^o Colvill are Ordered to acquaint his Excellency this House hath prepared an Address to be presented to him and desire to know when and where he will Please to receive it; They return and acquaint M^r Speaker the Governor informed them he will be ready at four of the Clock to receive the Address in the Conference Chamber

Ordered that Col^o King and twelve more, present the Address to his Excellency the Governor

p. 145 Daniel Dulany Esq^r from the Committee appointed to consider of Ways and Means for raising a Fund for maintaining his Majestys Troops to be raised in this Province for the present intended expedition to the West Indies and Transporting them to the Place of Rendezvous there July 9, 1740

Your Committee Conceive that a Sum of Current Money of this Province not exceeding Six Thousand Pounds be taken out and borrowed from the Paper Currency Office for the Use aforesaid And

That Commissioners or Agents be appointed who shall from time to time call for and apply the said Sum or such part thereof as shall be necessary for the said Purposes, according to the Directions or Instructions they shall receive from his Majestys Commander in Chief of the said Troops here for the time being agreeable to the said Instructions

That the said Sum or so much thereof as shall be applied as aforesaid shall be repaid into the same Office as follows viz.

That one half of the Duties now rising or to be raised on the Importation of Negroes and Rum and also a like Tax or Duty on each Ordinary in this Province as was lately raised thereon by An Act entituled An Act concerning Ordinaries, and for the better regulating of Ordinaries and Ordinary Keepers within this Province be respectively appropriated and applied as the same shall arise, towards

the Repayment of the said Sum of Six thousand Pounds or so much L. H. J. thereof as shall be taken out of the said Office, and applied to the uses aforesaid until there shall be a sufficient sum raised to Repay and satisfy the same to the said Office

We conceive that A Provision would be necessary in this intended Act, that the said sum of Six Thousand Pounds or so much thereof as shall not be paid and expended by the said Commissioners or Agents as aforesaid, to and for the uses and purposes afores^d shall be by them regularly accounted for, and such Surplus ought to be deemed and taken as so much Money belonging to the Publick, and to be by the said Commissioners or Agents repaid into the said Office, and there placed to the Credit of the aforesaid Loan

All which your Committee humbly submit to the Consideration of the House Signed p Order J Bordley, Ct. Com.

Which was Read and Ordered to lie on the Table.

M^r Speaker communicated to the House, the Governors answer to the Address of this House.

Gentlemen of the Lower House of Assembly

The Satisfaction you express in my calling you together, and communicating his Majestys Commands to you, so soon, and your Resolution to let them have the Preference in your Deliberations to all other Business give me a great deal of Pleasure, and I am sure no good Subject will ever imagine his Majesty either desires or expects we should neglect the reviving or enacting such Laws as tend to the Defence of the Province, and general Utility of the People, and have been long in Use amongst them Sam: Ogle

The House Adjourns to the Morrow Morning at nine of the Clock

Thursday Morning July 10th 1740

p. 146
July 10

The House met according to Adjournment &c^a

On reading the Report brought in from the Committee appointed to consider of Ways and Means for raising a Fund for maintaining his Majesty's Troops to be raised in this Province &c^a the House concurs therewith and Ordered that the Committee of Laws prepare and bring in a Bill accordingly

The Question was put whether the Bill entituled, An Act for the Transportation of Forces and Troops to be raised in this Province for his Majestys Service in the West Indies, sent from the Upper House should be read or not, Resolved in the Negative

The House Adjourns to two of the Clock in the Afternoon

L. H. J.

Post Meridiem

The House met according to Adjournment

Mr George from the Committee of Laws, brings in a Bill for reviving An Act of Assembly, entituled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for reviving and continuing the Supplementary Act thereto

A Bill entituled, An Act reviving An Act of Assembly of this Province, entituled An Act for the speedy Recovery of small debts, before a single Justice of the Peace

A Bill to revive An Act of Assembly of this Province, entituled A supplementary Act, to the Act, entituled An Act for emitting and making Current Ninety thousand Pounds Current Money of Maryland in Bill of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed

A Bill for reviving An Act of Assembly of this Province entituled An Act ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cropping cutting and defacing Tobacco taken on Board Ships or Vessels upon Freight

A Bill for reviving An Act of Assembly, entituled An Act for the Advancement of Justice, as also An Act of Assembly, entituled A supplementary Act to the Act for the Advancement of Justice

A Bill reviving An Act of Assembly of this Province entituled An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, & for ascertaining the Punishment of Criminals guilty of the said Offences,

A Bill reviving the supplementary Act to the Act laying an Imposition on negroes and on sundry sorts of Liquors imported and also on Irish Servants to prevent the importing too great a number of Irish Papists into this Province

A Bill continuing An Act of Assembly of this Province, entituled, An Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy

A Bill reviving An Act entituled, An Act to prevent the Injuring Harbours within this Province

p. 147 A Bill entituled An Act continuing An Act of Assembly of this Province entituled A Supplementary Act to the Act entituled An Act for the more effectual Punishment of negroes and other slaves, and for taking away the Benefit of Clergy from certain Offenders, and to an Act entituled An Act to prevent the tumultuous Meeting and other Irregularities of negroes and other slaves, and directing the manner of trying slaves

A Bill entituled An Act for the speedy and effectual Publication of the Laws of this Province and for the encouragement of Jonas Green of the City of Annapolis Printer.

And A Bill entituled An Act for ascertaining the Gauge of Barrells L. H. J. for Pork and Beef and the neat Quantity of Pork and Beef to be therein contained

Which Bills were severally read the first time and Ordered to lie on the Table

The House Adjourns to the Morrow Morning at nine of the Clock

Friday Morning July 11th 1740

July 11

The House met according to Adjournment &c^a

M^r James Waughop and M^r John Brannock appeared in the House.

The Bill entituled An Act for the further encouragement of Levies for his Majesty's Service in the West Indies. Read the first time and Ordered to lie on the Table.

On motion to bring in a Bill to provide a Fund for purchasing Arms and Ammunition for Defence of the Province on the present Emergency; Leave is given. Ordered that the Committee of Laws prepare and bring in a Bill accordingly.

The Bill entituled An Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise; Read the first time and Ordered to lie on the Table

M^r Henry Trippe hath leave of the House to go Home

The House Adjourns to two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

On motion Ordered that a Congratulatory Address on the Success of the British Arms in America, be prepared to be presented to his most Sacred Majesty, and that M^r Calder, Doctor Carroll, Col^o Colvill and Col^o King, prepare and bring in the same

M^r Calder from the Committee of Laws, brings in a Bill entituled An Act for Raising and Issuing Money for maintaining his Majestys Forces to be raised in this Province and Transporting them to the Place of Rendezvous in the West Indies

Which was Read the first Time and Ordered to lie on the Table

The House Adjourns to the Morrow Morning at nine of the Clock

Saturday morning July 12th 1740

July 12

The House met according to Adjournment M^r Grundy Pemberton appeared in the House

The following Message. (See page 6)

Sent by Major Sprigg and M^r Joseph Hall.

L. H. J. The Bill sent from the Upper House, entituled An Act for the
 p. 148 further encouragement of Levies for his Majestys Service in the
 West Indies, was read the second time and will not pass.

James Holliday Esq^r from the Upper House delivers M^r Speaker
 the following message (See page 6)

The House Adjourns to 2 of the Clock in the Afternoon.

Post Meridiem

M^r William Thomas appeared in the House.

The Bill entituled An Act for raising and issuing money for
 maintaining his Majestys Forces to be raised in this Province, and
 Transporting them to the Place of Rendezvous in the West Indies
 was read the second time and passed

The Bill sent from the Upper House entituled An Act for the
 Transportation of Forces and Troops to be raised in this Province for
 his Majestys Service in the West Indies was sent to the Upper House
 by M^r Smith and Major Sprigg with the following Message (See
 page 7)

p. 149 The Bill entituled An Act for raising and issuing money for main-
 taining his Majestys Forces and transporting them to the Place of
 Rendezvous in the West Indies.

Sent to the Upper House by Col^o King and twelve more.

The Bill entituled An Act, to revive An Act of Assembly of this
 Province, entituled A Supplementary Act to the Act entituled An Act
 for emitting and making Current ninety Thousand Pounds Current
 Money of Maryland in Bills of Credit and to restrain some evil
 Practices of Sheriffs under Colour of the said Act committed, Read
 the second time and passed

The Bill entituled, An Act for reviving An Act of Assembly,
 entituled An Act for relieving the Inhabitants of this Province from
 some Aggrievances in the Prosecution of suits at Law, and for Reviv-
 ing and Continuing the supplementary Act thereto: Read the second
 time and Passed.

And the Bill, entituled An Act for reviving An Act of Assembly,
 entituled An Act for the Advancement of Justice, as also An Act
 of Assembly entituled A supplementary Act to the Act for Advance-
 ment of Justice: Read the second time and Passed.

Which several Bills were sent to the Upper House by M^r Calder
 and M^r Henry

The House Adjourns to Monday Morning at nine of the Clock

July 14

Monday morning July 14th 1740

The House met according to Adjournment &c^a

All Present as on Saturday, except M^r Wilkinson

The Bill, entitled An Act, Reviving An Act of Assembly of this L. H. J. Province, entitled An Act, for the speedy Recovery of small Debts out of Court before a single Justice of the Peace was read the second time and Passed.

The Bill, entitled An Act for Reviving of An Act of Assembly of this Province entitled, An Act for ascertaining the Gauge and Tare of Tobacco hogsheads, and to prevent Cutting Cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight, was Read the second time and Passed

The Bill entitled An Act Reviving An Act entitled An Act to prevent the Injuring Harbours within this Province, was Read the second time and Passed.

The Bill entitled An Act Reviving the Supplementary Act to the Act laying an Imposition on Negroes, and on sundry sorts of Liquors imported &c^a Read the second time and Passed;

Which several Bills were sent to the Upper House by Col^o Hooper and M^r Weems.

On reading the second time the Bill entitled An Act for the Benefit of the Poor and encouragement of Industry the Question was put that the said Bill do pass. Resolved in the Affirmative.

For the Affirmative

P. 150

M ^r Waughop	M ^r Hanson	M ^r Caswell
Read	King	Edward Sprigg
Harris	Henry	✓ Wootton
Calder	Goldsborough	Osbn Sprigg
Carroll	Robt. Lloyd	Magruder
Denton	Hooper	Gordon
Henry Hall	Brannock	Pemberton
Brome	Colvill	R. N. Wright
Courts	Rumsey	
Middleton	Pearce	

For the Negative

M^r Smith M^r Weems M^r Joseph Hall M^r Thomas M^r Ennalls

The Bill, entitled An Act continuing An Act of Assembly of this Province, entitled A supplementary Act to the Act entitled An Act for the more effectual Punishment of Negroes and other Slaves &c^a and to An Act entitled An Act to prevent the tumultuous Meeting and other Irregularities of Negroes &c^a was Read the second time and passed

The House Adjourns to 2 of the Clock in the Afternoon

L. H. J.

Post Meridiem

The House met according to Adjournment &c^a

The Bill entituled, An Act continuing An Act of Assembly of this Province entituled An Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy; Read the second time and passed.

The Bill entituled An Act for ascertaining the Gauge of Barrells for Pork and Beef and the neat Quantity of Pork and Beef to be therein contained in each Barrell; Read the second time and Passed.

Which two Bills were sent to the Upper House, together with the Bill entituled An Act for the Benefit of the Poor and encouragement of Industry, and the Bill entituled An Act continuing An Act of Assembly, of this Province entituled A supplementary Act to the Act entituled An Act for the effectual Punishment of negroes and other Slaves &c^a by M^r Henry and M^r Rumsey.

On Reading the Bill entituled An Act, for the Trial of all Matters of Fact in the several Counties where they have arisen or shall arise, the Question was put, that the said Bill do pass Resolved in the Affirmative

For the Affirmative

M ^r Waughop	M ^r King	M ^r Pearce
Read	Henry	Gist
Calder	Goldsborough	Edw ^d Sprigg
Carroll	Robert Lloyd	Wootton
Smith	Thomas	Osborn Sprigg
Weems	Hooper	Magruder
Brome	Ennalls	Pemberton
Courts	Brannock	R. N. Wright
Middleton	Colvill	
Hanson	Rumsey	

For the Negative

M ^r Harris	M ^r Joseph Hall	M ^r Dulany
Denton	Sheredine	Gordon
Henry Hall	Caswell	

The said Bill was sent to the Upper House by Col^o Hanson and M^r Thomas

The Bill entituled An Act reviving An Act of Assembly of this Province, entituled An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, &c^a Read the second time and Passed

p. 151 The Bill, entituled An Act for the speedy and effectual Publication of the Laws of this Province and for the encouragement of Jonas Green of the City of Annapolis Printer. Read the second time and Passed.

Which Bill was sent to the Upper House by M^r Denton and L. H. J. M^r Osborn Sprigg

A Bill entituled An Act to revive and continue An Act for the better Relief of poor Debtors, Read the first time and Ordered to lie on the Table.

The House Adjourns to the Morrow Morning at nine of the Clock

Tuesday morning July 15. 1740

July 15

The House met according to Adjournment

All appeared as yesterday except M^r George

Major Trippe and M^r Wilkinson appeared this day.

The Bill entituled An Act to revive and continue An Act for the better Relief of poor Debtors, was Read the second time and Passed, and sent to the Upper House by Col^o Hooper and M^r Thomas

A Bill entituled An Act for the Limitation of Officers Fees brought in from the Committee of Laws, which was Read the first Time and Ordered to lie on the Table.

The House Adjourns to two of the Clock in the Afternoon

Post Meridiem

The following message (See page 10)

Sent to the Upper House by M^r Wootton and M^r Read.

George Plater Esq^r from the Upper House delivers M^r Speaker the following Message (see page 10)

The House Adjourns to the Morrow Morning at nine of the Clock p. 154

Wednesday Morning July 16. 1740

July 16

The House met according to Adjournment, &c^a

M^r Smallwood, M^r Gale, and M^r Swann appeared in the House

The Question was put whether a Conference shall be had with the Upper House as proposed by them in their Message of yesterday or not Resolved in the Negative

For the Negative

M^r Waughop

M^r Courts

M^r Sheredine

Read

Middleton

Caswell

Swann

Smallwood

Gist

Wilson

Goldsborough

Edward Sprigg

Calder

Robert Lloyd

Wootton

Carroll

Thomas

Osborn Sprigg

Henry Hall

Ennalls

Magruder

Smith

Brannock

Pemberton

Weems

Colvill

Wilkinson

Joseph Hall

Pearce

R. N. Wright

Brome

L. H. J.

For the Affirmative

M^r Harris
Denton
King
Hanson

M^r Henry
Gale
Hooper
Trippe

M^r Dulany
Gordon

Ordered that a Bill be brought in to Indemnify the masters of Transport Vessels from Prosecutions or Suits at Law for Transporting Soldiers Inlisted who are Indebted, and that Col^o King M^r Goldsborough, Col^o Colvill and M^r Calder prepare and bring in the same

Philip Lee Esq^r, from the Upper House delivers M^r Speaker the following message (See page 14)

p. 156 The Question was put whether M^r Tasker shall be excused from acting as one of the Agents for victualling and transporting the Soldiers to be sent out of this Province on the Expedition intended or not? Resolved in the negative

For the negative

M^r Read
Swann
Wilson
Smith
Jos. Hall
Brome
Courts

M^r Smallwood
Goldsborough
Ennalls
Brannock
Colvill
Rumsey
Pearce

M^r Sheredine
Caswell
Gist
Wootton
Osborn Sprigg
Magruder
Pemberton

For the Affirmative

M^r Waughop
Calder
Denton
Henry Hall
Middleton
Hanson

M^r King
Henry
Robert Lloyd
Thomas
Hooper
Trippe

M^r Edw^d Sprigg
Dulany
Gordon
Wilkinson
R. N. Wright

The House Adjourns to 2 of the Clock in the afternoon

Post Meridiem

The House met according to Adjournment

The Bill entitled An Act for Limitation of Officers Fees, was read the second time and passed and sent to the Upper House by M^r Magruder and M^r Sheredine

A Bill was brought in from the Committee of Laws entitled An Act for the Indemnity of such Persons as shall be employed in Transporting his Majestys Troops to be raised in this Province to

the general Rendezvous in the West Indies which was Read the L. H. J. first and second time by an especial Order and passed and sent to the Upper House by Col^o King and Col^o Colvill with the following Message (See page 16)

The House Adjourns to the Morrow Morning at nine of the Clock p. 157

Thursday Morning July 17, 1740

July 17

The House met according to Adjournment

All appeared that were present yesterday except M^r Joseph Hall

M^r Roger Mathews appeared in the House

The House Adjourns to two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

Benjamin Tasker Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for raising and issuing money for maintaining his Majestys Forces to be raised in this Province and transporting them to the Place of Rendezvous in the West Indies; Indorsed, (See pages 7 and 18)

And the following Message (See page 18)

James Harris Esq^r from the Upper House, delivers M^r Speaker p. 160 the Bill entituled, An Act for Indemnity of such Persons as shall be employed in Transporting his Majestys Troops to be raised in this Province to the General Rendezvous in the West Indies Indorsed (See pages 17 and 20)

Which Bill was here Read and Passed for Ingrossing A Bill entituled An Act for raising ——— p hhd on Tobacco to be exported within the time herein mentioned for the uses and Purposes herein expressed Read the first Time and Ordered to lie on the Table

The House Adjourns to the Morrow Morning at nine of the Clock

Friday Morning July 18. 1740

July 18

The House met according to Adjournment

Col^o Hammond from the Upper House delivers M^r Speaker the following Message (See page 20)

Col^o Holliday from the Upper House delivers M^r Speaker the following Message (See page 21)

the following Message. (See page 21)

Sent to the Upper House by Mess^{rs} Denton and Wootton

The House Adjourns to 2 of the Clock in the Afternoon

L. H. J.

Post Meridiem

The House met according to Adjournment &c^a

An Ingrossed Bill, entituled An Act for raising and issuing Money for maintaining his Majestys Forces to be raised in this Province and for Transporting them to the Place of Rendezvous in the West Indies, was Read and Assented to, and sent to the Upper House by M^r Smith and twelve more.

An Ingrossed Bill entituled An Act for the Indemnity of such Persons as shall be employed in Transporting his Majestys Forces to be raised in this Province to the general Rendezvous in the West Indies was read and Assented to, and sent to the Upper House by Col^o Hanson and M^r Weems—the following message (See page 22)

Sent to the Upper House by M^r Magruder and M^r Rumsey

July 19

Saturday Morning July 19th 1740

The House met according to Adjournment.

Philip Lee Esq^r from the Upper House delivers M^r Speaker the following message (See page 22)

p. 162 The Journal of Accounts was Read and Assented to and sent to the Upper House by the Gentlemen of that Committee

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

The following message (See page 23)

Sent to the Upper House with the Address sent thence by Col^o Hanson and M^r Harris

The Address to his most Excellent Majesty was brought into the House Ingrossed which was signed on Behalf, and by Order of the House, by the Honourable Speaker

Ordered that the Speaker transmit the Address of this House to his Majesty by the first safe Conveyance to the Agent at London employed by the House of Delegates, in order to be Presented to his most Sacred Majesty: and that he write to the said Agent requiring his Care to have the Address presented in the most proper manner, and that he also transmit by another safe Conveyance the

p. 163 Duplicate And that the said Agent charge the House of Delegates the expences which shall attend Presenting the said Address

The House Adjourns to Monday Morning at nine of the Clock

July 21

Monday Morning July 21. 1740

The House met according to Adjournment &c^a

All appeared except M^r Magruder

M^r Thomas Aisquith Appeared in the House

It being moved by a Member that Major Henry Trippe had dis- L. H. J.
qualified himself from sitting in this House as a Member, by accept-
ing the Office of Deputy Commissary of Dorchester County since he
was elected The Question was put, Whether Major Henry Trippe,
a member of this House for Dorchester, County, by accepting of
the Place of Deputy Commissary of Dorchester County since his
Election, is disqualified to sit in this House, or not? Resolved in
the Affirmative

For the Affirmative

M ^r Waughop	M ^r Courts	M ^r Caswell
Read	Middleton	Gist
Swann	Hanson	Edw ^d Sprigg
Wilson	Smallwood	Wootton
Carroll	Ennalls	Osborn Sprigg
Denton	Brannock	Pemberton
Henry Hall	Pearce	Wilkinson
Weems	Sheredine	Goldsborough
Brome	Mathews	

For the Negative

M ^r Harris	M ^r Gale	M ^r Gordon
Calder	Hooper	R. N. Wright
Smith	Colvill	Robert Lloyd
King	Rumsey	Thomas
Henry	Dulany	

Whereupon It is Ordered that Major Henry Trippe be called in
and that he be acquainted by M^r Speaker with the Resolution of this
House and that he is dismissed from further attendance on this
House as a Member

Ordered that M^r Speaker issue his Warrant to the Secretary of this
Province to make out a new Writt of Election directed to the
Sheriff of Dorchester County, to elect a new Member to serve in this
present Assembly in the Room of Major Henry Trippe

The House Adjourns to two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

On reading a second time the Bill Entituled An Act for raising
Six Pence p hhd on Tobacco &c^a the Question was put, Whether
the whole Six Pence to be raised, or Three Pence one Moiety shall
cease in case of Peace. Resolved that only Three Pence shall cease.

L. H. J.

For Three Pence ceasing

M ^r Waughop	M ^r King	M ^r Rumsey
Aisquith	Henry	Pearce
Harris	Gale	Sheredine
Calder	Robert Lloyd	Dulany
Denton	Thomas	Gordon
Smith	Hooper	Wilkinson
Brome	Ennalls	R. N. Wright
Middleton	Brannock	
Hanson	Colvill	

p. 164

For Six Pence ceasing

M ^r Read	M ^r Courts	M ^r Gist
Swann	Smallwood	Edward Sprigg
Wilson	Goldsborough	Wootton
Carroll	Caswell	Osborn Sprigg
Weems	Mathews	Pemberton

The Question was put, Whether the Bill entituled An Act for raising Six Pence p hhd &c^a have Duration for Three Years, or a shorter Time Resolved that the Duration be for Three Years.

For three years.

M ^r Waughop	M ^r Hanson	M ^r Brannock
Aisquith	King	Colvill
Harris	Henry	Rumsey
Calder	Gale	Sheredine
Denton	Rob ^t Lloyd	Dulany
Smith	Thomas	Gordon
Brome	Hooper	R. N. Wright
Middleton	Ennalls	

For a Shorter Time

M ^r Read	M ^r Courts	M ^r Gist
Swann	Smallwood	Edw ^d Sprigg
Wilson	Goldsborough	Wootton
Carroll	Pearce	Osborn Sprigg
Henry Hall	Mathews	Pemberton
Weems	Caswell	Wilkinson

The Bill entituled An Act for raising Six Pence per Hhd &c^a was Read and committed for Amendments

Major Henry Trippe was called in and on his appearing M^r Speaker acquainted him that the House having had his Acceptance of A Place of Trust and Profit under their Consideration, were

of Opinion that such his Acceptance had disqualified him from L. H. J. serving as a Member and that therefore, out of a due Regard to the Rights and Priviledges of the House as well as in Compliance with the Laws of the Country and more particularly to preserve that Independance so absolutely necessary in this Branch of the Legislature Have Resolved, that he be dismissed from his Attendance as a member, and accordingly by their Order he was to understand that he was dismissed

The House Adjourns to the Morrow Morning at nine of the Clock

Tuesday morning July 22^d 1740

July 22

The House met according to Adjournment

M^r Joseph Hall appeared in the House this Day

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Paper Bills entituled An Act for raising and issuing money for maintaining his Majestys Forces to be raised in this Province and Transporting them to the Place of Rendezvous in the West Indies: And the other Intituled An Act for the Indemnity of such Persons as shall be employed in Transporting his Majestys Troops to be raised in this Province to the General Rendezvous in the West Indies severally Indorsed: (See pages 21 and 22)

p. 165

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

On Motion that an Address be prepared to his Excellency the Governor to put an end to this Session,

Ordered that Col^o King, Col^o Colvill, Doctor Carroll and M^r Calder prepare and bring in the same.

The following Address to his Excellency was brought in Read, Approved, and Ordered to be Ingrossed Viz. (See page 80)

The Address to his Excellency being Ingrossed was brought in and was Signed by Order and on Behalf of the House of Delegates of the Province of Maryland, by the hoñble Speaker

Col^o Hanson and M^r Mathews Ordered to acquaint his Excellency this House hath prepared an Address to him and desires to know when and where he will be pleased to receive it.

They return and acquaint M^r Speaker the Governor is ready to receive it immediately in the Council Chamber.

Ordered that the Address to his Excellency be presented by Col^o King and six more

The following Message. (See page 24)

Sent to the Upper House by Major Henry and M^r Harris

p. 166

The House Adjourns to Monday morning at nine of the Clock

L. H. J.
July 23

Wednesday morning July 23. 1740

The House met according to Adjournment &c All Appeared that were Present Yesterday except M^r Henry Hall

M^r Mathews from the Committee of Aggrievances and Courts of Justice, delivers M^r Speaker the following Reports, viz.

By the Committee of Aggrievances and Courts of Justice July 23^d 1740

Your Committee upon enquiring for the Commission of his Lordships Agent within this Province, find, that in the Alphabet of Liber P L N^o 8 Tasker Benjamin Agent Commission Folio 300 and on viewing the said Folio find therein recorded a Bond to the Right Honourable Charles Lord Proprietary dated 12th of November 1734 signed Benjamin Tasker D. Dulany, Geo. Plater but not the Commission as mentioned in the said Alphabett.

Your Committee humbly conceive, as the said Office of an Agent is a Publick Office with respect to the People and their Interests the Powers and Authorities by which they Act or have Acted, should be made matter of Record, that hereafter the same may be a Iustification for Payments made by and for the Use of his Majestys Subjects to such Agents but the same is humbly submitted to the Consideration of your Honourable House

Signed p Order William Cumming Cl Com.

By the Committee of Aggrievances and Courts of Justice, July 23. 1740

Whereas A Committee of Your House had heretofore Reported that A new Office had been erected with new Fees, and it appearing to your Committee at present, that the Person so appointed had commenced A Suit for such Fees in Prince Georges County Court within this Province, Your Committee therefore on Application to the Clerk of the Council and Register in Chancery, for the Commission by which the said Person acted as Master in Chancery and likewise any Proclamation or Authority by which he Charged such Fees as aforesaid received from the said Clerk and Register, Copy A Commission by Samuel Ogle Esq^r Chancellor of the Province of Maryland to Benjamin Young of the City of Annapolis Gent dated the 8th day of October 1734 as also An Order of Council dated at Annapolis 20th of February 1733 appointing Fees to the Examiner and Master in Chancery, both hereunto annexed, which as a further
p. 167 Evidence of the Innovation on the Rights of the People, is humbly submitted to the Consideration of your Honourable House

Signed p Order William Cumming Cl. Com.

Maryland ss.

Samuel Ogle Esq^r Chancellor of the Province of Maryland
To Benjamin Young of the City of Annapolis Gent. Greeting

Having special Trust and Confidence in your Fidelity, Integrity L. H. J. Knowledge and Circumspection I do hereby nominate Constitute and Appoint you the said Benjamin Young to be Examiner and Master in the high Court of Chancery, to take the Examinations and Depositions of Witnesses, as to the Facts in issue in all Causes depending or hereafter to be commenced in the said Court, and also to take all Orders Decreed, to Report all matters of Fact referred to you, and to take all Affidavits and Probats of Answers in the same Court; Hereby Giving and Granting unto you full Power and Authority to Act Do Perform and Execute all and singular the Powers and Authorities as are practised or exercised by any such Officer of the Court of Chancery of England so far as in the Judgment of the Chancellor for the time being the Circumstances of the Court of Chancery of this Province will admit, and to ask demand and receive, all such Fees Perquisites and Rewards as shall be by the Lieutenant Governor of the said Province for the time being thought just and Reasonable. To have and to hold the said Office of Examiner and Master during Pleasure. Given at the City of Annapolis this Eighth day of October in the twentieth Year of his Lordships Dominion &c^a Anno Dom 1734

Sam: Ogle

Copy J Ross, Reg Cur. Canc.

(The table of fees follows adopted by the Council on Feb. 20, 1733/4 and printed in 28 Archives, Council, pp. 54 and 58.)

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled An Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer. (See page 25) Which Bill was here Read and Passed for Ingrossing p. 168

The House Adjourns to 2 of the Clock in the Afternoon

Post Merediem

The House met according to Adjournment

An Ingrossed Bill entituled An Act for the Speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis, Printer, was brought in, Read, and Assented to and sent to the Upper House with the Paper Bill thereof, by M^r Harris and M^r Thomas

James Holliday Esq^r from the Upper House delivers M^r Speaker a Petition of Joseph Williams and Richard Snowden, praying leave to cut of the Entail of a Tract of Land called Williams Range, and to entail Lands of equal Value in Lieu

A Petition of Benjamin Howard of Ann Arundel County, praying Leave to cut of the Entail of a Tract of Land called Ropers Neck, and to entail Lands in Lieu thereof

And a Petition of the Reverend John Lang Rector of Saint James Parish, praying Leave to bring in a Bill to Impower Authorize and

- L. H. J. Enable him and his Successors in Office to Demise and to Farm let, two Tracts of Land the one containing 100 Acres whereon the Church stands the other called Wrighton lying near Pig Point, in Consideration of Improvements being made thereon

Severally Indorsed, By the Upper House of Assembly 23^d July 1740, Read and Referred to the Consideration of the Lower House

M^r Calder delivers M^r Speaker the following Representation:
To the Honourable the House of Delegates of the Province of Maryland

We the Persons appointed by Your Honourable House to procure Copies of Records &c^a and to transmit the same to Great Britain, for carrying on the Address of Your House to his most Sacred Majesty in Pursuance of an Order of the House dated the 10th May 1740 &c^a to make a Report of Our Proceedings to the then next Assembly do hereby humbly represent that the time between that and this present Session was so short, that the necessary Records could not be made out and perfected, and that during the present Session Application has been made to the respective Offices for some Copies, which are promised to be made Out, and as well as those formerly applied for, to be authentically proved as directed

Ja: Calder

Edw^d Sprigg

Henry Hall

C: Carroll

Turnor Wootton

V. Denton

Osborn Sprigg

- p. 169 The House concurs with the Report and further appoint and Continue those Gentlemen to procure if need be Copies of Records &c^a necessary for carrying on the said Address

The Report from the Committee of Aggrievances relating to the Omission of Recording the Agents Commission, being Read the House Concurs therewith: And,

Resolved that all Commissions heretofore now or hereafter, to his Lordships the Lord Prop^{rys} Agents in this Province which respect the receiving Duties, Compositions, Rents or other Monies from his Majestys Subjects, should and ought to be Entred on Record in the Provincial Court Records and likewise that all Deputations from such Agent or Agents to any Person or Persons for receiving Rents or other Records or Compositions, ought to be Recorded in the Provincial Court Records, or in the County Records where such Deputy or Deputys Act; whereby the People may be at a Certainty in being Discharged by Payments heretofore made or hereafter to be made

M^r Speaker communicated the Governors answer to the Address of this House presented yesterday viz^t (See page 81)

- p. 172 Col^o King, Doctor Carroll Col^o Colvill, M^r Calder, and M^r Nicholas Goldsborough Ordered to prepare An Address to his Excellency on his Answer,

Edmund Jenings Esq^r delivers M^r Speaker a Petition of Thomas L. H. J. Spalding & Catherine his Wife praying leave to bring in a Bill to cut of the entail of A Tract of Land called Coopers Purchase and to entail Lands in lieu thereof: And a Petition of the Vestry and sundry Inhabitants of Queens Parish in Prince Georges County praying An Act may pass to Levy on the Taxable Inhabitants the sum of Seventy Pounds to compleat the Repairs of the Chapple in the said Parish, and that the said Chapple may hereafter be Repaired at the Parish Charge. Which Petitions were severally Indorsed By the Upper House of Assembly, referred to the Consideration of the Lower House

Philip Lee Esq^r delivers M^r Speaker a Petition of Michael Taylor a languishing Prisoner in Prince Georges County Indorsed, By the Upper House of Assembly July 23. 1740. Read and Referred to the Consideration of the Lower House of Assembly, if a Bill be brought in A Clause be added conformable to the Prayer of William Mauduits Petition a Petition of William Mauduit, praying that Michael Taylor be compelled to give Security for his good Behaviour if Relieved by the Legislature Indorsed, By the Upper House of Assembly, referred to the Consideration of the Lower House: And the Petition of Nicholas Hammond Prisoner in Ann Arundel County Goal, Indorsed By the Upper House of Assembly Referred to the Consideration of the Lower House

The House Adjourns to the Morrow Morning at 9 of the Clock.

Thursday Morning July 24. 1740.

July 24

The House met According to Adjournment &c^a All Appeared as yesterday

M^r Henry Hall Appeared in the House.

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill continuing An Act of Assembly of this Province entituled An Act for the more effectual Punishment of certain Offendors and for taking from them the Benefit of Clergy

The Bill reviving An Act of Assembly of this Province entituled An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, and for ascertaining the Punishment of Criminals Guilty of the said Offences.

And the Bill, entituled An Act continuing an Act of Assembly of this Province entituled A Supplementary Act to the Act entituled An Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offendors, and to an Act entituled An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the manner of Trying of Slaves

Severally Indorsed. (See page 26)

L. H. J. Col^o Harris from the Upper House delivers M^r Speaker the Bill
 p. 173 reviving An Act of Assembly of this Province entituled An Act, Ascertainning the Gauge and Tare of Tobacco Hogsheads and to prevent Cutting Cropping and Defacing Tobacco taken on Board Ships or Vessels upon Freight

The Bill Reviving An Act to prevent the Injuring Harbours within this Province

And the Bill reviving the supplementary Act to the Act entituled An Act laying an Imposition on Negroes and sundry sorts of Liquors imported, and also on Irish Servants to prevent the Importing too great a number of Irish Papists into this Province

Severally Indorsed. (See page 26)

Which said Bills were here severally Read and Passed for Ingrossing

Col^o Hammond from the Upper House delivers M^r Speaker the Bill, entituled An Act for the Benefit of the Poor and Encouragement of Industry Indorsed (See page 26)

And the Bill entituled An Act for ascertainning the Gauge of Barrels for Pork and Beef and the neat Quantity of Pork and Beef to be therein contained Indorsed (See page 27)

The Bill entituled An Act for the benefit of the Poor and encouragement of Industry was here Read and Passed for Ingrossing

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

James Holliday Esq^r from the Upper House delivers M^r Speaker the Petition of William Burros a languishing Prisoner in Kent County Goal, the Petition of Samuel Deavor a languishing Prisoner in the Custody of the Sheriff of Ann Arundel County, and the Petition of James Carter of Cecil County Milwright Praying to be discharged from their Several Imprisonments. Which Petitions were
 p. 174 severally Read and Granted

The Petitions of Michael Taylor, Nicholas Hammond, William Burros, and James Carter, were severally Granted.

An Ingrossed Bill, entituled An Act reviving An Act of Assembly of this Province entituled An Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses, and for Ascertainning the Punishment of Criminals Guilty of the said Offences

An Ingrossed Bill entituled An Act Reviving an Act entituled An Act to prevent the Injuring Harbours within this Province

An Ingrossed Bill, entituled An Act Continuing An Act of Assembly of this Prov^e entituled A Supplementary Act to the Act entituled An Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offendors, and to An Act entituled An Act to prevent the Tumul-

tuous Meeting and other Irregularities of negroes and other slaves L. H. J. and directing the manner of Trying Slaves

An Ingrossed Bill entitled An Act continuing An Act of Assembly of this Province entitled An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy.

An Ingrossed Bill entitled An Act for reviving An Act of Assembly of this Province entitled An Act ascertaining the Gauge and Tare of Tobacco Hogsheads and to prevent Cutting Cropping and Defacing Tobacco taken on Board Ships or Vessels upon Freight.

And an Ingrossed Bill entitled An Act reviving An Act entitled a supplementary Act to the Act entitled An Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants to prevent the Importation too great a number of Irish Papists into this Province

Were severally Read and Assented to, and sent to the Upper House with the Paper Bills by Col^o Hanson and M^r Wilson

On reading the Amendments to the Bill, entitled An Act for ascertaining the Gauge of Barrels for Pork Beef &c^a proposed by the Upper House the Question was put, Whether, insted of the Words Use of the County school where the Offence shall be committed these Words shall be put, Right Honourable the Lord Proprietary his Heirs and Successors for and towards the better Support of this Government? Or not? Resolved in the negative

For the Negative

M ^r Waughop	M ^r Middleton	M ^r Mathews
Read	Hanson	Caswell
Wilson	Smallwood	Edw ^d Sprigg
Carroll	Rob ^t Lloyd	Wootton
Henry Hall	Thomas	Osborn Sprigg
Smith	Hooper	Pemberton
Weems	Ennalls	Wilkinson
Jos. Hall	Pearce	R. N. Wright
Brome	Sheredine	

For the Affirmative

M ^r Calder	M ^r Rumsey	M ^r Gordon
Colvill	Dulany	Henry

A Bill entitled An Act for the Relief of Samuel Deavor a languishing Prisoner in Ann Arundel County Goal, Michael Taylor a languishing Prisoner in Prince Georges County Goal, William Burros a languishing Prisoner in Kent County Goal and James Carter a languishing Prisoner in Cecil County Goal

- L. H. J. Was Read the first time and Ordered to lie on the Table
 A Bill entituled An Act for the Relief of Nicholas Hammond and
 for freing his Body from Arrests for the time therein mentioned
 Was Read the first and second time by an especial Order and will
 not Pass
 The House Adjourns to the Morrow Morning at nine of the Clock

July 25

Friday Morning July 25: 1740

The House met according to Adjournment &c^a

The Question was put Whether the House will take into Consideration any Private Petition this Session or not. Resolved in the negative

An Ingrossed Bill entituled An Act for the Benefit of the Poor and Encouragement of Industry was brought in Read and Assented to, and sent to the Upper House with the Paper Bill by Col^o Hooper and Captain Gordon

M^r Calder brings in the following Address (See page 84)

- p. 177 Which was Read Approved and Ordered to be Ingrossed
 The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

The Address to his Excellency being Ingrossed, was signed by Order and on Behalf of the House of Delegates, by the Honourable Speaker

Col^o Hanson and Col^o Colvill were Ordered to Acquaint his Excellency this House hath prepared An Address to him and desires to know when and where he will be pleased to receive it

They return and acquaint M^r Speaker the Governor will be ready to receive the Address immediately in the Conference Chamber

Col^o Hanson and seven more were Ordered to Present the Address

Col^o Gale from the Upper House delivers M^r Speaker the Bill entituled An Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall Arise, Indorsed. (See pages 16 and 28)

The Bill entituled An Act for the Relief of Samuel Deavor Michael Taylor, William Burros and James Carter

Was Read the second time and will Pass.

Sent to the Upper House by M^r Goldsborough and M^r Rumsey

Philip Lee Esq^r from the Upper House delivers M^r Speaker the Journal of Accounts Indorsed. (See page 28)

- p. 178 The House Adjourns to the Morrow Morning at nine of the Clock

Saturday Morning July 26. 1741

L. H. J.
July 26

The House met according to Adjournment

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Relief of Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher and William Biggs languishing Prisoners Indorsed (See page 29)

James Harris Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for Limitation of Officers Fees Indorsed (See page 29)

the following Message. (See page 29)

Sent to the Upper House by the Committee of Accounts

p. 179

The Bill entituled An Act for the Relief of Samuel Deavor &c^a Was Read and with the Amendments passed for Ingrossing

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

Edmund Jenings and James Holliday Esq^{rs} from the Upper House acquaint M^r Speaker the Governor requires the Attendance of this House in the Upper House to see the two Ingrossed Bills Assented to by both Houses Passed into Laws.

M^r Speaker and the rest of the members went to the Upper House, where his Excellency Passed the Bill entituled

An Act for Raising and Issuing money for maintaining his Majestys Forces to be Raised in this Province, and for Transporting them to the Place of Rendezvous in the West Indies; And the Bill entituled

An Act for the Indemnity of such Persons as shall be employed in Transporting his Majestys Troops to be raised in this Province to the general Rendezvous in the West Indies; into Laws

By Affixing the Greater Seal at Arms to each and Declaring on behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law

An Ingrossed Bill entituled An Act for the Relief of Samuel Deavor Michael Taylor William Burros, James Carter, Sarah Butcher and William Biggs languishing Prisoners: Read and As-
sented to, and sent to the Upper House with the Paper Bill by M^r Denton and M^r Brome p. 180

M^r Speaker communicates to the House the following Answer from the Governor (See page 86)

Col^o King, M^r Calder, Doctor Carroll, Col^o Colvill, M^r Golds-
borough, M^r Denton, M^r Smith, M^r Rumsey and Captain Gist ap- p. 182

L. H. J. pointed to draw An Address to his Excellency on his Answer this day communicated

The House Adjourns to Monday Morning at nine of the Clock

July 28

Monday Morning July 28. 1740

The House met according to Adjournment

p. 183 The Members were called all Present as on Saturday except M^r Sprigg and M^r Read

M^r Magruder appeared in the House this day

Col^o Gale from the Upper House delivers M^r Speaker the Journal of Accounts and the following message (See page 31)

p. 184 The following Address to his Excellency was brought in, and Read, Approved and Ordered to be Ingrossed. (See page 89)

p. 186 The House Adjourns to two of the Clock in the Afternoon

Post Meridien

The Address to his Excellency being Ingrossed, was Signed by Order and on Behalf of the House by the Honourable Speaker

Col^o Hanson and Col^o Colvill Ordered to acquaint his Excellency this House hath prepared An Address to him and desires to know when and where he will be pleased to Receive it

They return and acquaint M^r Speaker the Governor will be ready to receive the Address at his own House in half an Hour

M^r Calder and five more were Ordered to Present the Address to his Excellency

The House Adjourns to the Morrow Morning at nine of the Clock

July 29

Tuesday Morning July 29. 1740

The House met according to Adjournment &c^a

Col^o King from the Conferees of the Lower House appointed to Join the Members of the Upper House to Inspect into the State and Fund arising on the duty of Three Pence p hogshead appropriated for the purchasing Arms and Ammunition delivers M^r Speaker the following Report By the Conferees of the Lower House of Assembly appointed to Join the Honourable Col^o Mathew Tilghman Ward Benjamin Tasker and James Holliday Esq^{rs} Members of the Upper House to inspect into the State of the Fund arising on the Duty of Three Pence p Hogshead appropriated for the purchasing Arms and Ammunition

Your Conferees of the Lower House having met the Honourable Members of the Upper House in the Conference Chamber several Times and received such Vouchers from them as they produced relating to the Subject matter we were with them to Confer upon,

p. 187

after mature Consideration had thereon, proposed to Join with the L. H. J. Honourable Members of the Upper House in a Report necessary to be made to both Houses, and to that end offered one (as your Conferees conceive most agreeable to the true State of the Case) to the Honourable Benjamin Tasker and James Holliday Esq^{rs} but they refusing to Join with your Conferees in that Report so offered, We proceed to Report the matters given us in charge as they now appear to Us, and find them to be as follows.

That there has been raised in the whole Province by means of that Fund clear of all Deductions from the Year 1717 to the Year 1739 the sum of £6840..15..9

That upon Examination into the Accounts of Samuel Young Esq^r late Treasurer of the Western Shore with respect to the above Fund from the Year 1717 to the Year 1735 We find the sum of £4139..19..7¼ to have been raised on the Western Shore as by the Copies of those Accounts in the Book Mark'd A hereunto annexed, reference being had thereto appears.

That out of the money so raised on the Western Shore there has been remitted into the Hands of Mess^{rs} John Hyde and Samuel Hyde Merchants in London the Sum of £3158..2..10¼ as p said Young's Accounts appears.

That from the Accounts Current and from sundry Shop Notes now produc'd which does not appear to us by the Treasurers Accounts nor any other way to have been heretofore produced to the Lower House of Assembly, there appears by the Account hereunto annexed mark'd B the Sum of 2079..10..3 to have been laid out in Arms and Ammunition, and other necessities for the use of and applied towards the Building the House now used as well for a Magazine as the Council Chamber, which House (as appears from the Journal of the Lower House in May 1718) was Built as a Magazine for Arms

That for an Article of £49..3..10 part of the Sum last mentioned for Goods sent in the Year 1718, there was not any Shop notes produced to Your Committee but it appears to be an Article charged in M^r Hydes Account current for that Year, and we presume by the great distance of time the Vouchers may be lost

That we find in the Year 1719 an Order of Governor and Council to Col^o Richard Tilghman for £187..13..6 Sterling to Purchase Arms for the Use of the Province from Richard Bennett Esq^r and Company, upon which Order another appears to be drawn by the said Col^o Richard Tilghman for the Above Sum of £187..13..6 on Robert Ungle Esq^r Treasurer of the Eastern Shore for which the said Ungle in his Account Charges the Publick in 1720 Your Conferees further find by the Council Proceedings that in the Year 1729 M^r Bennett appeared before the then Governor and Council and produced the above Order and deposed, that he had not received the Above Sum of Money or any part of it, or any thing in Satisfaction p. 188

L. H. J. thereof, upon which it appears that another Order issued to the said Bennett drawn on Col^o Samuel Young for the aforesaid Sum of £187..13..6 by which it is conceived that the Publick has been twice charged for one and the same Sum, tho it appears by the Oath of the said Bennett not to have been paid him by M^r Ungle

That with respect to an Article of £238..15..10 part of the Sum remitted to M^r Hyde and mentioned in the Account hereunto annexed Mark'd B, we do not find by his Accounts Current yet produced, any Charge to the Publick for that Sum; but upon inspecting into Samuel Young's Treasurers Accounts we find the Article charged there as so much paid his Excellency Samuel Ogle Esq^r Governor the Balance of 3^d p hogshead raised for the use of the Province between the 29th September 1732 and 29th September 1733, deducting Charges on Foreign Bills for Purchasing Arms &c^a

That it appears to your Conferees that the following Articles in the Treasurers Account hereunto annex, Folio 1. viz.

1718

To Bills of Exchange paid his Excellency John Hart Esq ^r in full of his Order dated May 6.	} £ s d 103.. 8.. 9
1718	
To Ditto paid Ditto	100.. 0.. 0

£203.. 9.. 9

Was paid towards Building and finishing the Magazine for Arms.

That it does not appear to your Conferees what the following Articles in the Treasurers Account hereunto annexed Folio 2 was expended for viz.

1720

May. To Bills of Exchange paid his Excellency John Hart Esq ^r per Order Council for £182..1..8 he allowing 30 p Cent Exchange	} 127.. 9.. 2
To Cash paid Thomas Cook £12..6..3 Currency at 25 p Cent Exchange	
To paid his Excellency John Hart Esq ^r p Order	9.. 4.. 8¼
	6.. 6.. 0

142..19..10¼

That there remains in the hands of M ^r Samuel Hyde Merchant in London as a Ballance due on the Fund arising on the Western Shore from the Year 1717 to the Year 1735 the Sum of	} 1078.. 0.. 0
That there is likewise in his the said Hydes Hands on the same Fund arising on the Eastern Shore remitted by Robert Ungle Esq ^r late Treasurer there as p his Accounts in Book Marked A Folio 12 appears, the sum of	
	334.. 8.. 8½

That there likewise is in his the said Hydes Hands on the same Fund arising on the Western Shore, and remitted by Col ^o Charles Ham- mond now Treasurer of the said Shore as p his Accounts in Book A Folio 9 to the 20 th September 1739 hereunto annexed appears.	} 816.. 5.. 0¼	L. H. J.
That there is likewise in the Hands of M ^r William Hunt Merchant in London arising on the same Fund on the Eastern Shore remitted by James Holliday Esq ^r Treasurer as p his Ac- counts in Book A Folio B. 14. 15 to the 29 th September 1739 hereunto annexed appears.		
That there is likewise in M ^r Hyde's Hands the Balance of an Order of Council and money directed by An Act of Assembly to be paid to his Excellency Samuel Ogle Esq ^r both which Sums makes £530..7..6 as p Account rendered by his Excellency in May 1739 here- unto annexed Mark'd D the Balance thereof appears to be		
That there is likewise in the Hands of Col ^o Youngs Ex ^{rs}		
	34..13..7¾ Gold &	0..18.. 3

So that the Total Sum now unap-
plied is 34..13..7¾ and £2824.. 3..11½

That in Order to set this Transaction in as clear a State as the nature of the affair will admit of, and that it may appear plain hereafter, we have caused the several Treasurers Accounts from Year 1717 to the Year 1739, and such Accounts Current from M^r Hyde as have been now produced together with such Invoices and Shop notes as have been likewise laid before us, to be Copied and have annexed the same hereto, as by reference had thereto may more fully and at large appear

We have likewise stated a General Account Current shewing the whole Sum raised, what Money is now in hand and how the Remainder has been disposed of, as appears by the Account also hereunto annexed Marked C reference being thereto had appears

All which is humbly submitted to the Consideration of the Lower House of Assembly Signed p Order Richard Dorsey Cl.
29 July 1740

(For the accounts following see pages 39 and following)

(See 33 Md. Archives, Assembly, p. 256, for Gov. Hart's message of May 6, 1718)

L. H. J. P. M
p. 236 N^o 166

London February the 1st 1723/4

Invoice of Goods Shipt you on Board the Speedwell John James Master for the Proper Account and Risque of the Province of Maryland and Go Consigned to Samuel Young Esq^r in Maryland aforesaid Viz.

Powder &c ^a Michael Coles	£23.. 1.. 7
Guns Looker	6.. 3.. 6

£29.. 5.. 1

Bill of Lading

Primage	£—.. 5..—	}	—..18..—
Entry Cockett Searchers & Deputies			
Fees	—..10.. 6		
Porters Wharf Lighter and Shipping	—.. 2.. 6		

Commission 2½ p Cent —..15.. 2

£30..19.. 3

Sir

Inclosed is Bill of Lading and Cost of the Guns and Powder Shipt You on Board the Speedwell Captain John James which hope you will receive in Safety and to Content. I am

Sir

Your most humble Servant

John Hyde

p. 242 B C^r to M^r Hydes Account as taken from his Account Current

1718	By Goods sent by Ellis as p Account	
	Curr ^t No Shop Notes Appear	£49.. 3..10
	Charges upon Bills that year	2.. 7.. 4
1724	To Goods sent p James Shop Notes Appear	30..19.. 3
	To Goods sent p the Charles Shop Notes Appear	573.. 7.. 3
	To John Aytons Protested Bill	39.. 1.. 8
	To John Sumners Ditto	45.. 1..10
	To Samuel Perrys Ditto	32..13.. 0
	To Charges on 3 Protests and Deductions for Exchange on Out Port Bills	3.. 5.. 5
	Shop Notes Appear	
1726.	To Goods sent p Brooke	6.. 6.. 0
1728.	To Thomas Monteiths Protested Bill	68.. 0.. 0
	To Charges upon that Bill and other Deductions Powder and Books as p Shop Notes	5..16.. 6

1730.	To Goods sent you p Mudge Chairs Branch & as p Shop Notes	119..12.. 3	L. H. J.
	To your Order to Thomas Beake for Goods and charges for Arms in Hart's time	38..13..10	
	To your Bill to Richard Bennett as p Account Current.	187..13.. 6	
	To Peter Huggins Bill Protested	28.. 0.. 0	
	To John Lancasters Ditto	48..16.. 7	
	To Charges on the said Protestant Bills and other Deductions. To make good Equivalent on Tobacco Law in Part	1..11.. 6	
1731.	To Peter Patriarches Bill Protested	13.. 7.. 5	
	To Charges upon the said Protest and other Deductions	1..13.. 9	
1732	To Richard Lees Protest	36.. 5.. 4	
	To Charges upon the said Protest and other Deductions	1..13.. 9	
	To Draught payable to Lord Baltimore	128..13.. 7	
1733	To Ditto payable to Governor Ogle for Arms	200.. 0.. 0	
1734	To Ditto to M ^r Slye	40.. 0.. 0	
	To Ditto to M ^r Razolini	20.. 0.. 0	
1735.	To Ditto to M ^r Slye	20.. 0.. 0	
	To Ditto to John Young Assigned Achсах Woodward	15..17.. 6	
1735/6	To Ditto to Charles Slye	20.. 0.. 0	
	To Ditto to Onorio Razolini Salary &c ^a	61.. 3.. 0	
	To Charges for Negotiating Bills	0..18.. 7	
	To Draught to Governor Ogle for Arms Not on M ^r Hydes Account as yet Ap- pears but charged by Samuel Young.	238..15..10	
		<hr/> £2079..10.. 3 <hr/>	

Was sent to the Upper House by the Committee of Accounts with p. 249
the Journal of Accounts (See page 33)

M^r Speaker communicates to the House the following Answer to
the Address presented Yesterday. (See page 91)

Samuel Chamberlain Esq^r from the Upper House delivers p. 250
M^r Speaker the following Paper Bill viz. The Bill Entituled An Act
Reviving An Act of Assembly of this Province Entituled An Act to
Prevent Cutting up Tobacco Plants &c^a The Bill entituled An Act
Reviving An Act entituled An Act ascertaining the Gauge and Tare
of Tobacco hogsheads &c^a The Bill entituled An Act continuing

L. H. J. An Act of Assembly of this Province Entituled A Supplementary Act to the Act Entituled An Act for the more effectual Punishment of Negroes and other Slaves &c^a The Bill entituled An Act for the Benefit of the Poor and Encouragement of Industry. The Bill entituled An Act reviving An Act entituled An Act to prevent the Injuring Harbours within this Province The Bill entituled An Act continuing An Act of Assembly of this Province entituled An Act for the more effectual Punishment of certain Offendors &c. The Bill entituled An Act reviving the supplementary Act to the Act laying an Imposition on Negroes &c^a The Bill entituled An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer And the Bill entituled An Act for the Relief of Samuel Deavor &c^a Severally Indorsed. The Ingrossed Bill Whereof this is the Originall is Read and Assented to.

Edmund Jenings Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act reviving An Act of Assembly of this Province entituled An Act for the speedy Recovery of small Debts before a Single Justice of Peace; And the Bill Entituled An Act reviving An Act of Assembly entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law Severally Indorsed By the Upper House of Assembly July 29th 1741

Read the second time and will not Pass

Signed p Order J Ross Cl Up Ho.

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met again according to Adjournment

The Address to the Kings most Excellent Majesty was Ordered to be Entred on the Journal and was as followeth.

p. 251 To the Kings most Excellent Majesty

The Humble Address of the Delegates of the Freemen of the Province of Maryland in General Assembly Convened
May it please Your Majesty

We Your Majestys dutiful Subjects the Delegates of the Freemen of the Province of Maryland beg leave to Offer our most sincere Congratulations on the Glorious Success of Your Arms in the West Indies in an unavoidable War Your Majesty has been Obligated to Undertake in Vindication of the Honour and Dignity of your Imperial Crown and the Rights of your Injured People

On the first Notice of your Majestys Intentions of raising Troops in America We were with the earliest who Chearfully and Unanimously Granted A Bounty for Encouraging Levies and raising Five hundred Men which Considering our Scarcity of People was the

utmost number could reasonably be Presumed this Province could L. H. J. raise and supply, and since Your Royal Instructions have been laid before Us We have with no less Chearfulness provided for their Support and Transportation to the Place of Rendezvous, which we pray may be Graciously accepted by Your Majesty as a Testimony of Our Steady Loyalty and firm Attachment to Your most Sacred Person and Government Altho Our Scituation be remote and that We live under a Proprietary Government Yet We hope We are not beyond the Extensive Influence of Your Majestys Just and Mild Administration and think it Our Greatest Happiness that We can have Recourse to Your Royal Person for Protection whenever We may be put to the necessity of Imploring it

That Indulgent Heaven may Shower down its Richest Blessings on Your most Sacred Majesty Inspire Your Councils Prosper Your Arms, defeat Your Enemies and that there never may be wanting a Successor of Your Royal Line to Reign over Us, are the Sincere and Earnest Wishes of Your Majestys faithful Subjects the Delegates of Maryland

Signed by Order and on Behalf of the House of Delegates

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for reviving An Act of Assembly entituled An Act for the Advancement of Justice &c^a

The Bill entituled An Act to revive and Continue An Act for the better Relief of Poor Debtors

And the Bill entituled An Act to revive An Act of Assembly of this Province entituled A Supplementary Act to the Act for Emitting and making Current £90000 Severally Indorsed

By the Upper House of Assembly July 29. 1740

Read the second time and will not Pass

Signed p Order J Ross Cl. Up Ho.

Col^o Hanson and Col^o Hooper ordered to acquaint the Governor that no Business lies before this House to Transact

James Harris Esq^r from the Upper House delivers M^r Speaker the following Message and the Journal of Accounts (See page 34)

M^r Speaker communicated to the House A Message from the p. 252 Governor Viz.

Gentlemen of the Lower House of Assembly

As I am informed doubts have arisen, whether the Persons who have entered themselves as Soldiers for his Majestys Service in the intended Expedition to the West Indies in pursuance of his Majestys Instructions and by Virtue of Warrants Granted by me can be intituled either to the Bounty Money of five Pounds allowed by the last Assembly or to the Subsistence Money provided by the Act Passed this Session before such Persons shall be Inlisted Levied and Raised p. 253

L. H. J. within this Province and drawn together by any Officer or Officers thereto duly Authorized by Commission from his Majesty and as no Commissions have as Yet come to my hands in Order that such Officers may be Authorized as the Act mentions and as several Persons who have entered themselves as Soldiers are now in Town and others daily expected and applications have been made to me that they may be subsisted and maintained I hope that if such Soldiers by the Words of the one Law cannot be maintained or by the Words of the other have the Benefit of the Bounty that You will bring in a Bill to remove any such doubts which may otherwise discourage Men from Inlisting and impede his Majestys Service Sam: Ogle

Ordered that An Address to his Excellency be prepared in Answer to his Message

An Address to his Excellency was brought in Read and Approved and Ordered to be Ingrossed (See page 91)

The Address to his Excellency was brought in Ingrossed and was Signed by Order and on Behalf of the House by the Honourable Speaker

Col^o King and Col^o Colvil Ordered to acquaint his Excellency this House hath prepared An Address to him and desires to know when and where he will receive it

They return and acquaint M^r Speaker the Governor will be ready to receive it in the Conference Chamber immediately

The Address sent to his Excellency by Col^o King and five more

Edmund Jenings and James Holliday Esq^r from the Upper House acquaint M^r Speaker the Governor requires the Attendance of the Lower House immediately

M^r Speaker with the rest of the Members of the Lower House sent to the Upper House where his Excellency Passed the several following Ingrossed Bills, Assented to by both Houses into Laws By affixing severally to them the Right Honourable the Lord Proprietary his Greater Seal at Arms and Indorsing them thus on Behalf of the Lord Proprietary I will this be a Law (for the list of these laws see page 78)

After which his Excellency made A Speech to both Houses of Assembly A Copy of which was not delivered to M^r Speaker

M^r Speaker and the rest of the Members returned into the Lower House M^r Speaker Re-assumed the Chair and acquainted the House that the Governor had by Advice of his Lordships Council of State Prorogued this Assembly to the second Tuesday in November next

So Endeth this second Session of Assembly this twenty ninth day of July In the twenty sixth Year of the Dominion of Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore and in the Year of Our Lord God 1740

Test M Macnemara Cl. lo. ho :

ACTS OF ASSEMBLY

Made and Passed At a Session of Assembly, begun and held, at the City of Annapolis, on Monday, the Seventh Day of July, in the Twenty Sixth year of the Dominion of the Right Honorable Charles, Lord Baron of Baltimore, Absolute Lord and Proprietor of the Provinces of Maryland and Avalon &c. Annoque Domini 1740

Printed
Session
Laws p. I.
Chapter II

An Act for Raising and Issuing Money for Maintaining his Majesty's Forces to be Raised in this Province, and for Transporting them to the Place of Rendezvous in the *West-Indies*. Preamble

Whereas our Sovereign Lord the King, by repeated Provocations, has been induced to declare War against *Spain*, in order as well to vindicate the Honour of his Imperial Crown, as to Revenge the Injuries done to his Subjects, to assert their undoubted Rights of Commerce and Navigation, and by all Means to Distress and Annoy a Nation that has Treated the People of *Great Britain* with so much Insolence and Barbarity; and therefore has been graciously pleased to give Orders for Equipping and setting forth an Expedition against the Territories of the Catholick King in the *West-Indies*, which is to consist of a large Squadron of Ships of War, and a considerable number of Land Forces, with a suitable Train of Artillery, Store Ships and Transports.

And whereas his Majesty by his Instructions to his Excellency the Governor of this Province, bearing Date at *St. James's* the Second Day of *April* last, has thought fit to signify, that he has determined to raise a Body of Troops in the Colonies on the Continent of North *America*, to join those to be sent from *Great Britain* at a particular Rendezvous to be appointed for that Purpose, and to Act in Conjunction with them under the Command of the Right Honourable *Charles* Lord *Cathcart*, General and Commander in Chief of the said Expedition; and that he Trusts and Expects, that the Assembly of *Maryland* will provide Victuals, Transports, and all other Necessaries for the Troops to be raised in this Province, except Cloaths, Tents, Arms, Ammunition and Pay, 'till they arrive at the General Rendezvous in the *West-Indies*.

And whereas this General Assembly, at a Session of Assembly held in the Month of *April* last, did, by an Act then made, Give and Grant an Encouragement or Bounty of *Five Pounds* Current Money, besides other Privileges and Immunities, to every Person, not exceeding the Number of Five Hundred, who should voluntarily Inlist

Session as Soldiers in his Majesty's Service for the aforesaid Expedition,
 Laws which said Number is the most that can be reasonably presumed to
 be Raised or Inlisted in this Province.

We therefore his Majesty's faithful and loyal Subjects the Delegates of the Freemen of the same Province in General Assembly Convened, dutifully to comply with his Majesty's Expectations express in the aforesaid Instructions, and to Contribute, as far as the Circumstances of this Colony can allow, to the Success of his Majesty's Arms, and the further promoting the Levies and Expedition aforesaid, against our Common Enemy, and Raising and Granting a Sum of Money, in the whole not exceeding *Ten Pounds* for each Person, for the Maintenance and Transportation of the aforesaid Number of Five Hundred Men, or so many of them as shall Inlist as aforesaid, for and during the space of Four Months, humbly Pray that it may be Enacted,

p. 2
 A Sum of Money to be applied towards providing Victuals, &c for 500 Soldiers.
And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That a Sum of Money not exceeding Five Thousand Pounds Current Money in Bills of Credit of this Province, part of the Publick Money in the Hands and Custody of the Commissioners or Trustees for Emitting Bills of Credit Established by Act of Assembly, be, and is hereby Enacted, Appointed, Declared and Appropriated, to be taken up, paid and applied, by the Persons and in Manner hereafter mentioned, for the buying, finding and providing Victuals, Transports, and other Necessaries aforesaid, for the Number of Five Hundred Men to be Inlisted and Raised in this Province for his Majesty's Service for the Expedition aforesaid.

Agents appointed,
And be it further Enacted by the Authority aforesaid, That the Honourable Benjamin Tasker, Esq; Col. Robert King, and Dr. Charles Carroll, be, and are hereby Constituted and Appointed Agents for this Province, to Execute and Perform the several Matters and Things contained and mentioned in this Act, according to the Tenor thereof, in manner hereafter exprest, (That is to say,) That as soon as any Number of Troops or Soldiers, not exceeding Five Hundred, shall be Inlisted, Levied and Raised within this Province, and drawn together into one or more Body or Bodies, at one or more particular Places, by any Officer or Officers thereto duly Authorized by Commission from his Majesty, and Notice or Certificate thereof given to the said Agents, or any two of them, by the Governor for the Time being, or such Officer or Officers aforesaid, the same Agents, or any two of them, shall forthwith call for, demand, and receive, from the Commissioners or Trustees for Emitting the Bills of Credit Established by Act of Assembly, such Sum or Sums of Money, in Bills of Credit, as they the said Agents, or any two of them, shall think necessary, for the finding and providing

To take the Money out of the Office

Victuals and other Necessaries aforesaid, for the said Troops, from such Time till the Time of their Imbarkation; and shall provide for the said Troops sufficient wholesome Victuals or Provisions at the Place or Places where they shall be lodged or encamped within this Province, or may Contract and Agree with some other Person or Persons for the Finding and Providing the same for the Troops aforesaid, at such Rates and Prices as they the said Agents, or any two of them, can agree for, and pay such Person or Persons for the same out of the Money by them as aforesaid received.

Session
Laws
And to
provide
wholsom
Provisions
for the
Soldiers

And be it further Enacted, That at such Time as the same Agents, or any two of them, shall receive due Notice from the Governor for the Time being, the Commander in Chief or principal Officer of the same Troops here, or other Person or Persons to whom the Disposition and Imbarkation of the same Troops shall be committed, of the Time when the aforesaid Troops are to be Embarked for the *West-Indies*, they the said Agents, or any two of them, are hereby impowered and required to Freight and Hire Ships or other Vessels, convenient for Transporting the said Troops from hence to the Place of Rendezvous in the *West-Indies* aforesaid, and to Pay for the Freight or Hire of those Ships or Vessels out of the Money p. 3 aforesaid, by this Act so as aforesaid Appropriated, which Money for the Freight and Hire aforesaid, shall in like manner be called for and received by the said Agents, or any two of them, from the Commissioners or Trustees aforesaid.

Transport
Vessels to
be Hired

And be it further Enacted by the Authority aforesaid, That the same Agents, or any two of them, shall, and are hereby required and obliged, with the Money by them as aforesaid to be received, to buy up, provide, and put on board the said Ships or Vessels, Provisions and other Necessaries sufficient and convenient for the same Troops so to be Transported in their Voyage aforesaid, as usual in such cases, accounting the same to the number of Sixty Days from the Time of Imbarkation, or otherwise to Contract and Agree with the Owners or Masters of such Ships or Vessels for the Finding and Providing such Provisions and Necessaries aforesaid, for the same Troops so by them to be Transported as aforesaid.

For Sixty
days after
embarkation

And for the Replacing and Repayment of the aforesaid Sum of *Five Thousand Pounds*, Money so as aforesaid to be taken up and received from the Commissioners or Trustees aforesaid, for the Uses aforesaid, or so much thereof as shall be used and applied to the same Uses and Purposes, *Be it Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That one Moiety of all the Duties by virtue of any Act or Acts of Assembly of this Province arising on Rum, Spirits, Wine, and Brandy, Irish Servants, and Negroes, Imported into this Province, which by the same Act or Acts, or any of them, have been applied for defraying the Public Charge of this Province, shall and is hereby required and directed,

Money to be
repaid into
the Office,

By Duties
on Rum, &c.

Session during the Continuance of this Act, to be paid by the several Naval
 Laws Officers of this Province who shall Receive or Collect the same, to
 the Commissioners or Trustees aforesaid.

And for the more effectual and speedy Replacing and Repaying
 of the said Sum into the Office of the Commissioners or Trustees for
 Emitting Bills of Credit Established by Act of Assembly, *Be it
 further Enacted by the Authority, Advice and Consent aforesaid,*
 That from and after the End of this Session of Assembly, the Jus-
 tices of each County in Court sitting, be, and are hereby Impowered
 and Authorized, from Time to Time as often as need shall require,
 County Courts power to grant Licences for Ordinaries.
 to grant Licenses to such Person or Persons as they shall think fit,
 being Persons of good Repute, to be Ordinary-keepers and Innhold-
 ers, for the Keeping of Ordinaries and Houses of Entertainment,
 so long Time, and in such and so many Places within their several
 and respective Counties, for the Ease and Conveniency of the Inhabi-
 tants, Travellers and Strangers, as to them respectively shall seem
 meet; for which Licences the said Persons that shall be so Licenced
 to keep Ordinary as aforesaid, shall at the Time of his, her, or their,
 taking such Licences, enter into Recognizance to his Lordship the
 Lord Proprietary for the Payment of the several and respective Sums
 following, (That is to say,) for every Licence to keep Ordinary in
 the City of *Annapolis*, the Sum of *Five Pounds* Current Money, and
 Licences to be paid for p. 4 for every Licence to keep Ordinary at any other Place within this
 Province, the Sum of *Fifty Shillings* Current Money, for every
 Year such Person shall keep Ordinary as aforesaid, to be Paid by
 the Person or Persons taking such Licence, to the Sheriff of each
 respective County where such Person or Persons shall Inhabit, which
 To the said Sheriffs respectively are hereby required and obliged, by virtue
 Sheriffs, of their Office, to receive and collect the same, as well as all Fines
 And by the and Forfeitures arising on the Breach of any part of this Act, by such
 Sheriffs to the Ordinary-keepers, and the same Yearly to pay to the Commissioners
 the Com- or Trustees aforesaid, by them to be applied to the Repaying the
 missioners. aforesaid principal Sum so as aforesaid Borrowed and Appropriated,
 for which said Licence and Recognizance every Ordinary-keeper
 shall pay to the Clerk of each respective County Court, the Sum of
 Clerk's Fce, *Three Shillings* and no more.

County Courts to fix the Rates of Liquors, &c. *And be it further Enacted by the Authority aforesaid,* That the
 Justices of the several County Courts, be, and are hereby Authorized
 and Impowered, at their several County Courts in the Month of
August Yearly, or oftner, as they shall think fit, to Set and Assess
 the Rates and Prices of all Liquors and other Accommodations what-
 soever, in Current Money of this Province, by them the said
 Ordinary-keepers to be Vended, for the Year ensuing, and so Yearly
 and every Year, which Rates and Prices of all Liquors and other
 Accommodations so to be Set and Assessed, Limited and Appointed,
 by the Justices aforesaid, shall be by their several and respective

Clerks transcribed, and set up at the several and respective County Courts in some publick Places there, that every Person may peruse the same; the Copy of which Table of Prices of Liquors and Accommodations, every Ordinary-keeper within each County is hereby obliged to keep set up in the most publick and convenient Place of their Houses, for the Perusal of such Persons as receive any Ordinary Accommodations, under the Penalty of *Five Pounds* Current Money, to be Collected, Paid and Applied as aforesaid, and on Non-payment thereof to be sued for in his Lordship's Name, by Bill, Plaint or Information, or upon the Presentment of any Grand Jury, without the formality of an Indictment, for which Table of Prices every Ordinary-keeper shall pay to such Clerk the Sum of *Two Shillings* like Money, and no more: And every Ordinary-keeper or Innholder, who shall, after the Assessing and Setting up the Rates and Prices aforesaid, directly or indirectly, take, exact, demand or receive, for the Price and Pay for any such Liquors or other Accommodations, for which the Rates and Prices shall be assessed and set up as aforesaid, from any Person or Persons whatsoever, above the Rates and Prices so set up and assessed as aforesaid, shall for every such Account sued for, taken or received, forfeit and pay the Sum of *Fifty Shillings* Current Money, to be Collected, Paid and Applied as aforesaid, and lose every such Debt or Account sued for, taken, or received, so unjustly Charged, Exacted or Demanded, the said Forfeiture to be Recovered in his Lordship's Name before any Magistrate of the County where the Offence shall be Committed, as in case of small Debts.

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Copies to be
set up.

Ordinary-
keepers
offending
against this
Act to be
fin'd,

And lose
Debts
illegally
charged

And be it Enacted by the Authority aforesaid, That the Party Grieved shall be deemed a legal Witness (being under no Incapacity of being a Witness in other Cases) to prove any Exaction or Extortion contrary to this Act.

The Party
injured,
deem'd good
witness

And be it further Enacted by the Authority aforesaid, That every Ordinary-keeper or Innholder, so to be Licenced as aforesaid, shall, within Six Months after Granting their respective Licences, be hereby obliged to provide and maintain, if they keep Ordinary at the Court-House in any County, four good and substantial Beds, or at the City of *Annapolis* aforesaid, six good Beds, over and above what is for their own Family's Use, with sufficient warm Covering for the same, and Indian Corn, Oats, Hay, Straw, and Stabling for Ten Horses at least; and if any Ordinary be Kept at any other Place or Part of the Country than at the Court-House, such Ordinary-keeper shall, within the Time aforesaid, be provided with Two spare Beds with Covering, and sufficient Stabling and Provender for Six Horses at least, under the Penalty of *Ten Pounds* Current Money, one half thereof to the Commissioners or Trustees aforesaid, to be Collected by the Sheriffs of the respective Counties where the said Offence shall be committed, and by the said Sheriffs paid to the said Commissioners, to be applied as aforesaid, the other half to him or

p. 5

Ordinary-
keepers to
be well
provided
with Beds,
&c. or be
fin'd.

Session Laws them that shall inform or sue for the same, to be Recovered by Action of Debt, Bill, Complaint or Information, in the Names of the Lord Proprietary and Informer, wherein no Essoyn, Protection, or Wager of Law to be allowed.

Not to hold public Offices
Not to keep disorderly Houses
Provided always, That no Person or Persons so Licenced, or to be Licenced, to keep Ordinary as aforesaid, shall, during the Time of such their Keeping Ordinary, be Delegates, Justices of Peace, Attorneys, Deputy-Commissaries, Clerks, Sheriffs, Deputy-Sheriffs, or Jurymen, or hold any other Publick Office, within this Province.

And be it further Enacted by the Authority aforesaid, That if any Ordinary-keeper shall keep evil Rule in his House, upon Complaint made thereof to the Justices of the County Court, of such Ordinary-keeper's Misbehaviour, or keeping evil Rule in his House, the said Justices of the County Courts are hereby Authorized and Impowered to Suppress such Ordinary-keeper and call in such Licence.

To be suspended, if need be, by two Justices,
Or suppress.
And be it further Enacted by the Authority aforesaid, That in case any Ordinary-keeper shall keep an irregular or disorderly House, or shall misbehave him or her self, contrary to the Directions of this Act, that it shall and may be Lawful for any Two Justices of the Peace of the County where such Ordinary shall be kept (one of them being of the Quorum) upon Complaint, or upon their own View, to Suspend such Ordinary-keeper until the next County Court, which County Court may Hear and finally Determine the matter, and either suffer such Ordinary-keeper to keep Ordinary longer, or entirely to suppress such Ordinary.

After suspension not to presume to keep Ordinary
And be it likewise Enacted by the Authority aforesaid, That if any Person so Suspended, shall presume, during the Time of such Suspension, to keep Ordinary, that in all such Cases he or she shall incur the same Penalty and Forfeiture as Persons keeping Ordinary without Licence are subject to by this Act.

Ordinaries not to be kept without Licence, on forfeiture of 10 l. per Month
p. 6
And be it further Enacted by the Authority aforesaid, That any Ordinary-keeper disabled or suppressed as aforesaid, or any other Person that shall presume to keep Ordinary without Licence first had and obtained as aforesaid, shall, for every Month he, she, or they shall keep Ordinary, forfeit and pay *Ten Pounds* Current Money, and so proportionably for a longer or shorter Time, that any Person shall sell Liquors, or do contrary to this Law, one half to the Commissioners or Trustees aforesaid, to be collected and paid by the Sheriffs as aforesaid, and by the said Commissioners or Trustees applied as aforesaid, and the other half to him or them that shall sue for the same, to be Recovered in the County Court where such Offence shall be committed, in the Names of the Lord Proprietor and Informer, by Action of Debt, Bill, Complaint or Information, wherein no Essoyn, Protection, or Wager of Law to be allowed.

Retailing, &c.
And be it further Enacted by the Authority aforesaid, That no Person or Persons inhabiting within this Province, not having law-

ful Licence, shall Sell by Retail, unless Sold at the common and usual Rates of such Liquors between Merchants and others, any Cyder, Quince Drink, or other strong Liquors, to be Drank in his, her, or their Houses, or about his, her, or their Plantation, upon the forfeiture of every Time he, she or they shall be legally Convict thereof, the Sum of *Five Pounds* Current Money, one half thereof to the Commissioners or Trustees aforesaid, to be collected, paid, and applied as aforesaid, and the other half to the Informer, or to him or them that shall sue for the same, to be Recovered as aforesaid.

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And be it further Enacted by the Authority aforesaid, That all Licenced Ordinary-keepers shall be provided with and Sell by Sealed Measures, all Liquors (except such as shall come into the Province in Bottles) And that any Ordinary-keeper who shall neglect to provide and always keep a Quart, Pint, Half Pint, and Gill Pot, or any of them, Sealed Measures, shall forfeit and pay *Five Pounds* Current Money, to the Uses aforesaid, to be collected and applied as aforesaid, and recovered in the County Court where the Ordinary-keeper Offending Resides, in the Names of the Lord Proprietary and Informer, by Action of Debt, Bill, Plaint or Information, wherein no Essoyn, Protection or Wager of Law to be allowed.

Measures
to be
sealed

And whereas it hath been found prejudicial to the Inhabitants of this Province, that Ordinary-keepers and Innholders have frequently Entertained diverse loose, idle, and disorderly Persons, a great Time Tippling at their Houses, as well to the great Damage of many Persons, as their own Ruin.

To prevent
Tippling

Be it therefore Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That it shall not be lawful for any such Ordinary-keeper or Innholder to keep such Ordinary, or House of Entertainment, until he or she give good and sufficient Security, by Bond or Recognizance to the Right Honourable the Lord Proprietary, his Heirs and Successors, in *Forty Pounds* Current Money, before the Justices of the County Court where any Ordinary shall be kept, to keep good Rules and Orders, and not to suffer idle, loose or disorderly Persons, to Tipple, Game, or commit other Disorders or Irregularities in such Ordinary, contrary to the true intent and meaning of this Act, and that upon the breach of any such Bond or Recognizance, the recovery of the Penalty thereof shall be in the Name of the said Lord Proprietary, and for the Use of the Commissioners or Trustees aforesaid, to be collected, paid and applied as aforesaid.

Bond to be
given

p. 7
Not to suffer
Gaming, &c.

And whereas daily Experience shews the great Prejudice to the Owners and Masters of Merchant Ships and Vessels Trading into this Province, by Ordinary-keepers entertaining Sailors and others to such Ships and Vessels belonging, and trusting and encouraging them to continue Tippling in their Houses, to the Prejudice of Trade, preventing and impeding the Dispatch of such Ships and Vessels,

To prevent
Sailors
Tippling,
&c. in
Ordinaries,

Session and very often when such Sailors have spent all their Wages in such
Laws Ordinaries, it occasions and induces them to run away, and desert
the Ships and Vessels whereto they belong: For Prevention whereof,

Be it Enacted by the Authority, Advice and Consent aforesaid,

Entertaining That no Ordinary-keeper whatsoever within this Province, shall
Sailors presume to Harbour or Entertain any Sailor or Sailors, or other
Person employed in loading of Ships or Vessels (the Master and
Mate only excepted) to the neglect of their Service to their respec-
tive Commanders, and prejudice to the Dispatch of any Ship or
Vessel thereby, under the pain and penalty of being Suspended from
Not to be keeping such Ordinary: And that no Ordinary-keeper whatsoever,
trusted shall Credit any such Sailor for more than *Five Shillings* during any
above 5s. one Voyage, under the Penalty of losing his Debt and of being
fined the Sum of *Twenty Shillings* Current Money, whereof one
half to be collected, paid and applied as aforesaid, and the other half
to the Informer, or him or them that will sue for the same, to be
Recovered as aforesaid before a single Magistrate.

And be it further Enacted by the Authority aforesaid, That if any
Ordinary-keeper within this Province, shall Harbour, Entertain, or
sell any Liquors to, any Servant belonging to any Person within
Entertaining this Province, without Licence from their respective Master or Mis-
Servants tress, such Ordinary-keeper shall, for every such Offence, forfeit
and pay *Ten Shillings* to the Master or Mistress of such Servant, to
be recovered with Cost, upon Complaint of the said Master or Mis-
tress, before a Justice of the County where the said Ordinary-keeper
lives.

To prevent And whereas it is a general Complaint throughout this Province,
idle that Ordinary-keepers have made it their constant practice to enter-
Tradesmen tain Tradesmen and other Persons having Families, and no other
wasting Means of Supporting them but their own Labour and Industry, and
their Time single disorderly Persons, Tippling and Gaming in their Houses,
and Substance and wasting their Time and Substance, to the Ruin of their Families,
in and themselves, and the encouragement of Idleness, Drunkenness,
Ordinaries and all other Irregularities and Disorders: For Prevention of which
Evils for the future,

p. 8 *Be it Enacted by the Authority aforesaid,* That no Person who
shall be Licenced to keep Ordinary from and after the End of this
Session of Assembly, shall suffer any Tradesman or other Person
having a Family, and no visible Estate whereby to Support them-
selves or their Families, but their own Labour and Industry; or any
single Person, whether Tradesman or otherwise, not having a visible
Ordinary- Estate, to Tipple or Game in such Ordinary; other than such as shall
keepers not to Trust be Invited by any Traveller, and shall accompany him only during
any except his necessary Abode there, and other than Persons Travelling upon
Travellers, &c. on pain their necessary Occasions (so far distant from their own Habitations
of losing such Debts. as may render it impracticable or inconvenient to repair thither)

to take their Diet, and other necessary Accommodations, in such Ordinary, and other than such as may happen to be confined in such Ordinary by Sickness, severity of Weather, or other Accident, on Pain of not being paid for any Liquor, or other Accommodations, which such Ordinary-keeper shall supply such Person with, or which shall be lost by any such Person at any Games. Session Laws

Provided always, That no Ordinary-keeper shall be restrained from Supplying any of the Persons herein before mentioned, with Victuals or Liquor in moderate and necessary Quantities, so as no Ordinary-keeper shall Trust any such Person for more than *Five Shillings*, or the value thereof, in any one Year, except in such Cases as herein before mentioned, to be judged of by any Judicature having Cognizance of any Dispute concerning such Expences. Proviso.

And be it Enacted by the Authority aforesaid, That in any Action in a Court of Justice, or Dispute before a single Magistrate, between any Ordinary-keeper and any Person in this Act described, such Court, and the Jury in any Trial by a Jury, or single Magistrate, shall by virtue of this Act consider and enquire, whether any Debt so Sued for or Claimed before a single Magistrate, be Contracted contrary to the true intent and meaning of this Act, and if it shall appear to such Court, Jury, or Magistrate, that such Debt was Contracted contrary to this Act, that then the Plaintiff shall be Non-suit and the Defendant recover his Cost of Suit: And that in case any Action or Demand shall be brought on any Obligation under the Hand and Seal of any such Person, or upon any Note or Writing under the Hand only of the Defendant or Debtor, or if any such Note shall be given in Evidence to Support such Action or Demand, it shall and may be lawful for the Defendant or Debtor in every such Action or Demand, to plead the general Issue, that he doth not owe or did not assume to pay such Debt or Claim, and that then and in every such Case, Action, or Demand, it shall be incumbent on the Plaintiff, to Prove for what Consideration such Obligation or Note was past, and if such Plaintiff does not prove the fame not to have been past for some other Consideration than Liquor, or other Accommodations sold or lost as aforesaid, or prove that such Liquor or Accommodations was absolutely necessary, and not sold or furnished contrary to the true intent and meaning of this Act, the Plaintiff shall be Non-suit, and the Defendant shall recover the Cost of Suit. Courts and Juries to enquire in Actions bro't before them whether the debts sued for were contracted contrary to the Act, and if so, the Plaintiff to be Non-suit

And be it further Enacted by the Authority, Advice and Consent p. 9
aforesaid, That in Case it shall appear to any Court or Magistrate, that any part of any Account to be Sued for, or Demanded, or any part of the Consideration, for which any Obligation or Note shall be taken or past, shall be for Liquors or Accommodations supplied or sold, or any Money, Tobacco, or Liquor, won at Gaming, contrary to this Act, that then and in every such Case the Plaintiff shall Debts for Liquor or Gaming not be recovered.

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Laws recover only what shall appear to be due, exclusive of any Liquor or other Accommodations, supplied or provided contrary to this Act, and the Defendant shall be discharged from the Residue and recover the full Cost of Suit; any Law, Usage, or Custom to the contrary notwithstanding.

Obligations
taken in
trust for
Ordinary
keepers to
be void. *And be it further Enacted*, That all Mortgages, Obligations, or other Securities which shall be taken in trust for any Ordinary-keeper shall be absolutely Void, unless such Mortgage, Obligation, or other Security, shall be Assigned or Transferred to any other Person being a Stranger to such Trust for a valuable Consideration, and in case of such Assignment or Transferr, that such Trustee shall forfeit and pay double the principal Sum mentioned in such Mortgage, Obligation, or Security, one half to the Commissioners aforesaid, to be Collected, Paid and Applied as aforesaid, and the other half to him or them who will sue for the same, to be recovered in the Names of the Lord Proprietary and such Informer, by Action of Debt, Bill, Plaint, or Information, wherein no Essoyn, Protection, or Wager of Law shall be allowed: And for the better discovery of such Trusts,

Trustees
to be
examined
on Oath *Be it Enacted by the Authority, Advice and Consent aforesaid*, That every Trustee or suspected Trustee as aforesaid, shall be obliged by virtue of this Act, to answer Interrogatories upon Oath, or Affirmation if a Quaker, concerning such Trust, which Examination shall be received as Evidence in any Trial concerning such Trust, and if any such Trustee or suspected Trustee, shall refuse to be so examined, such Refusal shall be deemed and taken to be sufficient Evidence to prove the Fact, and that every Trustee or suspected Trustee submitting to be and being so examined, and not Answering truly to such Interrogatories, and being thereof legally Convict by Confession, or Verdict of a Jury, shall suffer as in case of wilful and corrupt Perjury.

Grand-
Jurors to
enquire into
the breach
of the Act. *And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That the Justices of the respective County Courts, shall give such part of this Act as relates to Ordinary-keepers and Innholders in Charge to the several Grand Jurors, and to their several and respective Constables, in their said County, to enquire into the Breach of this Act, and into all Disorders committed in the said Ordinaries, and Present the same, if any be, to the several Courts, to be Examined and Punished according to Law.

p. 10 *And be it further Enacted by the Authority, Advice, and Consent aforesaid*, That an Act of Assembly made at a Session of Assembly, begun and held at the City of *Annapolis*, the Twenty Eighth Day of *October*, One Thousand Seven Hundred and Twelve, entituled, *An Act Restraining Victuallers and Keepers of Publick Houses from entertaining of Sailors to the Prejudice of Trade and Commerce*, be, and is hereby Repealed, Abrogated and made Null and Void.

An Act
Repealed

And be it further Enacted by the Authority aforesaid, That the aforesaid several Sums of Money arising from the Duties aforesaid, and from the Ordinary Licences, and Fines, and Forfeitures of Ordinary-keepers, for the Replacing and Repaying the Money aforesaid, so as aforesaid Borrowed and Appropriated for the Uses mentioned in this Act, shall, and are hereby Directed and Enacted Yearly and every Year, to be paid to the Commissioners or Trustees aforesaid, by the respective Naval Officers and Sheriffs aforesaid, until the aforesaid Money, or such part thereof as shall be applied as aforesaid, shall be fully Paid back and Replaced, and that so much of this Act as relates to Ordinaries and Ordinary-keepers, and the Licences, Fines and Forfeitures herein before mentioned, shall be, and are hereby declared to be and continue in Force, until the aforesaid Sum of *Five Thousand Pounds*, or such part thereof as shall be applied as aforesaid, shall be fully paid and discharged, and to the end of the next Session of Assembly which shall happen after such Payment and no longer, and that whatever Money arising from such Licenses, Fines and Forfeitures, the said Commissioners or Trustees shall receive over and above what shall Discharge and Repay the Sum aforesaid, or the part thereof that shall be applied as aforesaid, the said Commissioners or Trustees shall account for the same to the next Assembly, which shall, and is hereby Declared and Enacted to be applied towards defraying the Publick Charge of this Province.

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Fines,
Forfeitures,
&c. by this
Act arising,
to be paid
yearly into
the Office
until the
sum
borrowed be
repaid.

And be it further Enacted, That the Commissioners or Trustees aforesaid, shall, and are hereby required and impowered to pay to the aforesaid Agents, or any two of them, or their Order, any Sum or Sums of Money, as they at any Time or Times shall Demand or Require, not exceeding in the whole the aforesaid Sum of *Five Thousand Pounds*, and that the Receipt of the same Agents, or any two of them, shall be a sufficient Voucher for the said Commissioners or Trustees to Charge the Public therewith, or with so much thereof as they shall so Pay to the said Agents, or any two of them, and if it shall so happen that there be not Money in the Hands of the Commissioners or Trustees aforesaid, sufficient to answer the Draughts or Demands of the same Agents, or any two of them, over and above what has been appropriated to some other Uses, it shall and may be lawful for the same Commissioners or Trustees, and they are hereby required to Pay the Demands aforesaid of the said Agents, or any two of them, out of any Moneys in their Hands, any such former Appropriation notwithstanding, and that the Money to be Repaid as aforesaid, shall be subject to the same Appropriations so soon as they shall be so Repaid.

The Com-
missioners
to pay the
Money to
the Agents.

And be it further Enacted, That if the aforesaid Expedition shall not take Effect, or if the aforesaid Number of Men shall not be
p. 11 Inlisted and Raised in this Province, so that all or any part of the said Money, by the said Agents, or any two of them, taken out and

Money taken
out of the
Office & un-
applied to be
refunded by
the Agents.

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Laws received from the Commissioners or Trustees aforesaid, should not be applied according to the directions of this Act, that then the said Agents shall and are hereby obliged to Refund and Pay back to the Commissioners aforesaid, all, or such part of the same Money, as shall remain in their Hands unapplied as aforesaid, which Money so Repaid shall likewise by the said Commissioners be placed to the Credit of the Money so taken up, borrowed and appropriated as aforesaid.

Five per
Cent to the
Agents *And be it further Enacted*, That the same Agents shall take and retain to themselves a Commission of *Five Pounds* Current Money *per Centum*, on all Monies which they shall Receive and Apply according to the Directions of this Act, and no more: And that the Commissioners or Trustees and Naval Officers aforesaid, shall have and receive no Commissions, Fee or Reward whatsoever, for paying or receiving any Money by virtue of this Act.

Accounts
to be
render'd
to both
Houses of
Assembly. *And be it further Enacted*, That the Agents aforesaid, shall at the next Session of Assembly to be held for this Province, render and deliver to both Houses of that Assembly, full and clear Accounts of all Moneys by them Received, and of the Application and Disposition thereof, and all other Matters and Things which they shall have done by virtue of this Act.

Five per
Cent to the
Sheriffs *And be it further Enacted*, That the several Sheriffs of this Province shall take and receive a Commission for collecting and paying all Moneys by this Act directed by them to be collected and paid, after the rate of *Five Pounds per Centum* and no more.

As soon as
the Money
borrowed
be refunded,
the Duties
to be
applied as
heretofore *And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That as soon as the Commissioners or Trustees aforesaid, shall, according to the Ways and Means herein before mentioned, have received Moneys sufficient to pay and make good, the Money aforesaid, so as aforesaid Borrowed and Appropriated out of the Public Stock in their Hands, or such part thereof as shall be taken up and applied as aforesaid, they the said Commissioners or Trustees shall, and are hereby required to give Notice thereof to the respective Naval Officers of this Province, and that after such Notice the said Naval Officers shall pay and apply the aforesaid Moieties of the said Duties in such manner, and to such Persons, as the same have heretofore been used and applied by virtue of the aforesaid former Act or Acts of Assembly; any Thing in this Act contained to the contrary notwithstanding.

Clerks to
make out
lists of
Ordinary-
keepers. *And be it further Enacted by the Authority aforesaid*, That the Clerks of the respective County Courts, shall yearly, during the Continuance of this Act, between the last Day of *November* and the last Day of *January*, make out two fair Lists of all Persons Licenced to keep Ordinaries, one of which Lists shall within the said Times be transmitted to the Commissioners or Trustees aforesaid, and the other to the Sheriffs of the respective Counties.

An Act for the Indemnity of such Persons as shall be Employed in Transporting his Majesty's Troops to be Raised in this Province to the general Rendezvous in the *West-Indies*. Session Laws Chapter III p. 12

Whereas by an Act of Assembly made this Sessions, entitled, *An Act for Raising and Issuing Money for Maintaining his Majesty's Forces and Transporting them to the Place of Rendezvous in the West-Indies*, certain Persons are appointed to provide Victuals and other Necessaries for such Troops as should be raised in this Province for his Majesty's Service in the intended Expedition to the *West-Indies*, and to Hire Transports for carrying such Troops to the Place of general Rendezvous there. Preamble

And whereas the Masters of such Ships or Vessels, or other Persons as shall be employed for Transporting of those Troops, might possibly apprehend themselves in Danger of incurring the Penalties of an Act of Assembly, entitled, *An Act Prohibiting all Masters of Ships or Vessels, or any other Persons from Transporting or Conveying away any Person or Persons out of this Province without Passes*, for Transporting or Carrying such Troops out of this Province, whereby it may prove difficult to procure Vessels for that Purpose: For Remedy whereof,

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly and the Authority of the same, That no Master or Masters of Ships or other Vessels, or other Person or Persons whatsoever, shall be subject or liable to any Action or Penalty whatsoever by Virtue of the last recited Act for Transporting or Carrying out of this Province by Land or Water, any Person or Persons whatsoever, such Person or Persons being first duly inlisted in his Majesty's Service, for the Expedition aforesaid, by any Officer or Officers lawfully Authorized for that Purpose, by Commission from his Majesty, any thing in the same last mentioned Act to the Contrary notwithstanding. Masters of Vessels indemnified in carrying off the Soldiers inlisted to serve in the Expedition.

And be it further Enacted by the Authority aforesaid, That if any Creditor or Creditors within this Province, shall Sue or Implead any such Master or other Person for Transporting any Person or Persons aforesaid, inlisted as aforesaid, that it shall and may be lawful for such Master or other Person to Plead the General Issue, and give this Act in Evidence, and that in case of a Discontinuance or Nonsuit, the Defendant shall recover his Cost; any Law, Usage, or Custom to the contrary notwithstanding.

An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of *Jonas Green* of the City of *Annapolis*, Printer. Chapter IV p. 13

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and

Session *the Upper and Lower Houses of Assembly, and the Authority of*
Laws *the same,* That the Justices of the several and respective County

Allowance *of this Province, shall be and are hereby impowered and*
to *directed, to make an Allowance of Fifteen Pounds Current Money*
Jonas *of this Province to the said Jonas Green, in the Levy to be laid for*
Green *each respective County Court next after this present Session of As-*
for *sembly, and that the said Fifteen Pounds (with the Sheriff's Com-*
Printing *mission for Collecting the same) so to be Allowed and Assess'd as*
the *aforsaid, shall be Collected by the Sheriff of each respective County,*
Laws, &c. *and yearly Paid by him, free from all Charges of Collection, to the*
said Jonas Green, or his Order, for the Printing, Stitching, and De-
livering, a Copy of the Public Laws, Speeches and Answers made
at this present Session of Assembly, and every other Session or
Sessions of Assembly, which shall Yearly happen during the con-
tinuance of this Act, to the Governor, and every Member of the
Upper and Lower Houses of Assembly, and of the Laws only to
every Justice of the Peace for the Time being, and a Copy of such
Laws, bound in Leather, to each House of Assembly, the high Court
of Appeals, the Provincial Court, and to each County Court, of this
Province, which Laws the said Jonas Green shall, and is hereby
obliged and required to Deliver, or cause to be Delivered, to the
Clerks of the Upper and Lower Houses of Assembly, and to the
Clerks of the respective Courts aforsaid, within Four Months after
the End of every Session of Assembly during the Time mentioned
in this Act, and the Clerk of each respective County Court within
this Province, is hereby obliged and required to deliver such Laws
to the respective Persons to whom they belong, when demanded.

To whom, *And be it further Enacted by the Authority aforsaid, That the*
and in what *Justices of each County Court in this Province, during the continu-*
manner, the *ance of this Act, be, and are hereby impowered and directed, at every*
Laws are *Time of laying the Levy in each respective County, after the End of*
to be *this present Session of Assembly, to allow the Sum of Fifteen Pounds*
delivered *Current Money Annually to the said Jonas Green, or his Order, for*
the Purposes aforsaid, which the said Justices are hereby impow-
ered to Levy upon the Inhabitants of the several Counties, with the
Sheriff's Salary for Collection thereof.

The Justices
of each
County to
Assess 15 l.
yearly for
the said
Printer

Proviso. *Provided always, That the said Jonas Green shall actually reside*
at Annapolis, during the continuance of this Act, and comply with
the Terms thereof on his Part, and that upon the Death of the said
Jonas Green, or his Removal from Annapolis, or ceasing to comply
with the Terms of this Act on his Part, that the Payment of the
Sums of Money, directed by this Act to be Paid to him, shall cease,
any thing contained in this Act to the contrary notwithstanding.

p. 14 *And be it further Enacted by the Authority aforsaid, That the*
Copy of the Public Laws made this present Session, as well as those
made at any future Session, during the continuance of this Act,

shall have Marginal Notes made and printed thereto, as also the date of the Year wherein such Laws were respectively made, inserted in each Page, and a List of such Laws made at the End of each Session, with the Folio where they are Printed; all which the said *Jonas Green* is hereby Required and Obligated to do, as well as those other Services herein before mentioned, for the yearly Salary aforesaid.

Session
Laws
Printers'
Duty to
make
marginai
Notes, &c.

And be it further Enacted by the Authority aforesaid, That although it may so happen that in any Year during the continuance of this Act, there should not be any Session of Assembly held within this Province, whereby the said *Jonas Green* may be enabled to print Laws and deliver them within such Year, that then and in such case, the said Justices of each respective County shall nevertheless, and they are hereby directed and required to Levy the said Sum of *Fifteen Pounds* Current Money, free from deduction, in each respective County, to be paid by the respective Sheriff of each County respectively, to the said *Jonas Green*, or his Order, for his better Support and Encouragement in serving this Province and residing within the same: For the Collection and Payment of which, or any other Sum or Sums in this Act mentioned, there shall be allowed to the said Sheriff respectively, a Commission of *Five per Cent.* and no more.

Allowance
to be made
the Printer
altho' no
Sessions.

The
Sheriff's
Commission
5 per Cent.

Provided always, and be it further Enacted by the Authority aforesaid, That it shall and may be Lawful for the Justices of each respective County within this Province, and they are hereby required, not to Pay the said *Jonas Green* the said *Fifteen Pounds* so to be Levied for his Use as aforesaid, unless it shall be made appear to them, that the Laws of the present or any future Session, shall be Printed and Delivered in the manner before directed, within the Space of Four Months next after the Conclusion of each Session of Assembly; any Thing herein before contained to the contrary notwithstanding.

If said
Green
neglects his
Duty the
Justices not
to make the
Allowance.

This Act to Continue until the last Day of *December* which shall be in the Year of our Lord *Seventeen Hundred and Forty Two*, and no longer.

Duration of
this Act.

An Act Reviving an Act of Assembly of this Province, entituled, *An Act to prevent Cutting up Tobacco Plants; Destroying of Tobacco and Tobacco-Houses, and for Ascertaining the Punishment of Criminals Guilty of the said Offences.*

Chapter V
[Continues
1732 Ch. 8.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above mentioned Act, entituled, *An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, and for ascertaining the Punishment of Criminals guilty of*

p. 15

Session Laws An Act Reviv'd for 3 Years and to the end of a Session afterwards. *the said Offences, made at a Session of Assembly, begun and held at the City of Annapolis, the Eleventh Day of July, Anno Domini One Thousand Seven Hundred and Thirty Two, be, and is hereby Revived and Continued to be and remain in full Force for and during the term of three Years next ensuing, and unto the end of the next Session of Assembly which shall happen after the end of the said three Years.*

Chapter VI [Continues 1737 Ch. 2] An Act Continuing an Act of Assembly of this Province, entitled, *An Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy.*

Act continu'd *Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above mentioned Act, entitled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty Sixth Day of April Seventeen Hundred and Thirty Seven, be and is hereby continued in full Force, for and during the Term of three Years next ensuing, and unto the end of the next Session of Assembly, which shall happen after the end of the said three Years.*

Chapter VII [Continues 1737 Ch. 7] An Act Continuing an Act of Assembly of this Province, entitled, *A supplementary Act to the Act, entitled, An Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offenders, and to an Act entitled, An Act to prevent the Tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the Manner of Trying Slaves.*

p. 16 *Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above mentioned Act, entitled, An Act continuing an Act of Assembly of this Province, entitled, A supplementary Act to the Act entitled An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders, and to an Act entitled An Act to prevent the tumultuous meeting and other irregularities of Negroes and other Slaves, and directing the manner of trying of Slaves, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty Sixth Day of April Seventeen Hundred and Thirty Seven, be and is hereby continued in full Force, for and during the term of three Years next ensuing, and unto the end of the next Session of Assembly that shall happen after the end of the said three Years.*

Act continu'd 3 Years, &c.

An Act Reviving an Act, entituled, *An Act to prevent the Injuring Harbours within this Province, and for Repealing the Act therein mentioned.* Session Laws Chapter VIII [Continues 1735 Ch. 16]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and by the Authority of the same, That the above mentioned Act of Assembly, entituled, *An Act to prevent the Injuring Harbours within this Province, and for Repealing the Act therein mentioned,* made at a Session of Assembly begun and held at the City of *Annapolis*, the Twentieth Day of *March*, *Anno Domini* One Thousand Seven Hundred and Thirty Four, be and is hereby Revived, and shall be in full Force, for and during the term of three Years, and unto the end of the next Session of Assembly that shall happen after the said three Years. Reviving an Act.

An Act Reviving an Act, entituled, *A supplementary Act to the Act, entituled, An Act laying an Imposition on Negroes and several sorts of Liquors Imported, and also on Irish Servants to prevent the Importing too great a Number of Irish Papists into this Province.* Chapter IX [Continues 1735 Ch. 6]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above mentioned Act entituled, *A supplementary Act to the Act entituled An Act laying an Imposition on Negroes, and on several sorts of Liquors imported, and also on Irish Servants, to prevent the importing too great a number of Irish Papists into this Province,* made at a Session of Assembly, begun and held at the City of *Annapolis* the Twentieth Day of *March*, *Anno Domini* Seventeen Hundred and Thirty Four, be and is hereby Revived, and shall be in full Force, for and during the term of three Years next ensuing, and to the end of the next Session of Assembly that shall happen after the said three Years. Reviving an Act.

An Act for Reviving an Act of Assembly of this Province, entituled, *An Act ascertaining the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping and defacing Tobacco taken on board Ships or Vessels upon Freight.* Chapter X [Continues 1736 Ch. 9] p. 17

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act, entituled, *An Act ascertaining the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping and defacing Tobacco taken on board Ships or Vessels upon Freight,* made at a Session of Assembly, begun and held at the City of *Annapolis*, the Twentieth Day of *April*, *Anno Domini*, Seven- Reviving an Act.

Session Laws teen Hundred and Thirty Six, be, and is hereby Revived and Continued to be and remain in full Force, for and during the Term of Three Years next ensuing, and unto the end of the next Session of Assembly that shall happen after the end of the said Three Years.

Chapter XI An Act for the Benefit of the Poor and Encouragement of Industry.

Preamble.
[Continued by 1744
Ch. 19 and
expired July 1747.] Whereas several Inhabitants of this Province, especially the poorer sort, cannot provide necessary Cloathing, particularly Linen, for themselves and their Families, by their produce of their Crops of Tobacco in the present low state of that Commodity, and that making Linen Cloth of Flax and Hemp of the Growth of the Country, would be of great Advantage to the People thereof in general, and therefore, and to the end that so useful and beneficial a Work may be Encouraged, It is prayed that it may be Enacted,

30 Pounds to be Levied in each County for the Encouragement of making Linen Cloth.
p. 18 *And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That at the next *November* County Courts within this Province, and at every *November* Court during the continuance of this Act, the Justices of each respective County Court, shall levy on the Taxable Inhabitants of each respective County, the Sum of *Thirty Pounds* Current Money of *Maryland*, in the same manner as other County Charges are levied, together with the Sheriff's Salary, to be applied to the Uses and Purposes following, (That is to say) *Six Pounds* to be paid to the Person who shall bring to *August* Court which shall be in the Year Seventeen Hundred and Forty One, and to every *August* Court afterwards, during the continuance of this Act, the best Piece of Linen Cloth of Twenty Yards at least in length, and one Yard wide at least, The Sum of *Five Pounds*, to such Person as shall bring the Second best Piece in quality, of the length and breadth aforesaid, The Sum of *Four Pounds Five Shillings*, to the Person who shall bring the third Piece in quality of the length and breadth aforesaid, The Sum of *Three Pounds Ten Shillings*, to the Person who shall bring the fourth Piece in quality of the length and breadth aforesaid, The Sum of *Two Pounds Ten Shillings*, to the Person who shall bring the fifth Piece in quality of the length and Breadth aforesaid, in which said Pieces of Linen, regard shall be had to the quality and whiteness of the Linen.

The remaining part of the 30 Pound how dispos'd of.
And be it Enacted by the Authority, Advice and Consent aforesaid, That the remaining part of the said *Thirty Pounds* so to be levied as aforesaid by virtue of this Act, shall be paid and applied to the several Persons and Uses following, To the Person who shall bring into the *August* Courts aforementioned, the Sixth best Piece of Linen of the length aforesaid, and not under Seven Eighths of a yard wide, the Sum of *Two Pounds Five Shillings*, To the Person

who shall bring in the Seventh best Piece of Linen, of the dimension last described, the Sum of *Two Pounds*, To the Person who shall bring in the Eighth best Piece of Linen, of the dimension aforesaid, the Sum of *One Pound Fifteen Shillings*, To the Person who shall bring in the Ninth best Piece of Linen, of the dimension aforesaid, the Sum of *One Pound Ten Shillings*, To the Person who shall bring in the Tenth best Piece of Linen, of the dimension aforesaid, the Sum of *One Pound Five Shillings*; to which said Pieces of the length of Twenty Yards and Seven Eights of a yard wide at least, no regard is to be had to the whiteness.

Provided always, That the Linen for which the Bounty by this Act allowed, shall be given, shall be Wove after the end of this Session of Assembly, and made of Flax or Hemp, of the growth of the respective Counties where the Bounties shall be paid, and that such Flax or Hemp shall be actually manufactured in such County, and that no Person shall be allowed any Bounty for Linen but in the County where the Flax or Hemp shall grow and be entirely manufactured, of which such Proof shall be made, as shall be satisfactory to the Justices of the respective County Courts. Session Laws
Proviso.

And Provided likewise, That it shall and may be lawful for the said Justices to cut each piece of Linen, for which the Bounty shall be allowed, into two equal Parts, or to use any other Methods they shall think fit without much damage to such Linen, to prevent two Rewards being given for one and the same Piece of Linen, and then to return to the Bringer or Proprietor thereof such Linen.

Provided also, Where the Money levied as aforesaid, shall not be applied to the uses aforesaid, that then the Justices of the County Courts where such application shall not be made, shall apply the Money so levied to the use of the County the ensuing Year.

And whereas by a former Act of Assembly, entituled, *An Act to encourage the making of Linen Cloth within this Province, of Flax or Hemp of the growth thereof*, the Sum of *Twelve Pounds* Current Money was levied Yearly on the Taxables of every County, to be applied by the Justices of each County in *June* Court, for the encouragement of the making linen Cloth. And whereas by the expiration of that Act at the last Sessions of Assembly, the said several Justices could not apply the Moneys raised at the last *November* Courts according to the directions thereof. p. 19
Money raised by a former Act,

Be it therefore Enacted by the Authority, Advice and Consent aforesaid, That the said several Justices of the respective Counties, shall and are hereby empowered at the *August* Courts next after this Sessions of Assembly, to apply the said Moneys Levied and Collected at the last *November* Courts, to the several uses in the said recited Act mentioned, the expiration of the same Act notwithstanding. How apply'd

Session This Act to continue for Three Years next ensuing, and to the end
 Laws of the next Sessions of Assembly that shall happen after the said
 Duration of Three Years.
 the Act.

Chapter XII An Act for the Relief of *Samuel Deavor* a languishing Prisoner in *Ann-Arundel* County Goal, *Michael Taylor* a languishing Prisoner in *Prince George's* County Goal, *William Burros* a languishing Prisoner in *Kent* County Goal, *James Carter* a languishing Prisoner in *Cecil* County Goal, *Sarah Butcher* a languishing Prisoner in *Dorchester* County Goal, and *William Biggs* a languishing Prisoner in *St. Mary's* County Goal.

Preamble. Whereas the said *Samuel Deavor*, *Michael Taylor*, *William Burros*, *James Carter*, *Sarah Butcher*, and *William Biggs*, by their humble Petition to this present General Assembly, have set forth, that they have continued Prisoners for Debt in the Custody of the several Sheriffs aforesaid, and still continue in the like deplorable Circumstances, and not being able to redeem their Bodies with all the Estate or Interest that they have in the World, which they would readily deliver up and part with to their several and respective Creditors, if they would accept of the same and grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that unless relieved by a particular Act Passed in their Favour, which by their said Petition they have humbly prayed, they must inevitably continue Prisoners for Life. And for that the Truth of the said Petitioner's Allegations are made appear to this present General Assembly by sufficient Testimonies, and that the said Petitioners are fit objects of Charity, and that their lying in Goal can be no Benefit to their Creditors, it is humbly prayed that the said Petitioners may be Relieved according to their Prayers, and that it may be Enacted,

p. 20 *And be it Enacted by the Right Honourable the Lord Proprietary, Creditors to go to the Sheriffs in 20 Days, and give security for the Fees, &c.* by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly and the Authority of the same, That unless all or any of the Creditor or Creditors of the said *Samuel Deavor*, *Michael Taylor*, *William Burros*, *James Carter*, *Sarah Butcher* and *William Biggs*, or the Attorney of such Creditors aforesaid within this Province, shall within Twenty Days after this Session of Assembly go to the Sheriffs of the aforesaid Counties of *Ann-Arundel*, *Prince George's*, *Kent*, *Cecil*, *Dorchester*, and *St. Mary's*, and give good Security to pay the Imprisonment Fees the Sum of Ten Pounds of Tobacco per Day, that shall or may become due from the said *Samuel Deavor*, *Michael Taylor*, *William Burros*, *James Carter*, *Sarah Butcher* and *William Biggs*, after the end of the said Twenty Days, and also find the said *Samuel Deavor*, *Michael Taylor*, *William Burros*, *James Carter*, *Sarah Butcher* and *William Biggs*, sufficient Meat, Drink and Cloathing, during their future Imprisonment; and in case they the said *Samuel*

Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, shall deliver up and surrender, or cause to be delivered up and surrendered to the Sheriffs of the Counties aforesaid, in the presence of Two Justices of the Peace of the said Counties, whom the said Sheriffs are hereby required to Summon on the request of the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs*, at some convenient time after the receipt of this Act, not exceeding Ten Days, all their Real and Personal Estate, either in Possession, Reversion, Remainder or in Trust, or in or unto which they have any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriffs of *Ann-Arundel, Prince George's, Kent, Cecil, Dorchester, and St. Mary's*, Counties, for the use of the said Creditors, all such their Estate, Interest or Claim as aforesaid, after such manner as by the said Sheriffs, and by the major part of such Creditors, or of such of them as shall think fit to direct therein, or their Council Learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim the Benefit thereof, so as the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs*, be not burthened with any Warranties thereby, other than from themselves or those claiming by, from or under them, and that the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher and William Biggs*, at the Time of such their Surrender and Transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices of the Courts aforesaid, to the Effect following, *Viz.*

Session
Laws
Otherwise
the Debtors
to be
discharg'd
on sur-
rendering
their Estates

I A. B. do Affirm, or solemnly Swear, that the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of _____ County, and in Trust for the use of my Creditors, is the whole Estate both Real and Personal of my Own in Possession or have any Title to in the World, and that I have not any Estate, Goods or Effects of any kind whatsoever, left either in Possession, Reversion or Remainder (the necessary Wearing Apparel for my self, Wife and Children, and Working Tools, excepted) and that I have not directly or indirectly sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof. So help me God.

The Oath to
be taken on
surrendering

p. 21

It shall and may be lawful for the Sheriffs of the Counties aforesaid, after the end of the said Twenty Days, and the said Sheriffs are hereby required to Discharge the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs*, out of their Custody, and suffer them to go at large.

Session
Laws
To be
discharg'd
from
future
Arrests
on their
Appearance
and pleading
this Act.

And be it further Enacted by the Authority aforesaid, That if the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, shall hereafter be Imprisoned by reason of any Judgment or Decree obtained for the Payment of any Debt, Damage or Cost contracted, occurred, or occasioned, owing or growing due before the end of this Session of Assembly, upon every such Arrest on any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judge or Justices of the Court where any such Process shall issue, upon shewing a Duplicate of the Discharge of the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, being so Arrested, to release and discharge out of Custody the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, provided the said Prisoners, or either of them, being so Arrested, shall and do enter his or their Appearance, or procure some Attorney to appear to every such Action and plead thereto, provided that the Discharge of the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, shall not acquit any other Person from such Debt, Damage or Cost, or any part thereof, but that all such Persons shall be answerable for the same in such manner as they were before the Passing this Act.

Debts to
stand good
in case the
Persons
relieved by
the Act shall
be able to
Pay
hereafter.

Provided always, and be it Enacted by the Authority aforesaid, That notwithstanding the Discharge of the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, all and every Debt or Debts, due and owing from him or them, and all and every Judgment had or Decree obtained, against him or them, shall stand and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements, and Hereditaments, Goods and Chattels, of him or them, and which he or they, or any other Person in Trust, for the use of him or them, had at the time of the discharge of the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs, or which he or they at any time hereafter, shall or may be any way Seized or Possessed of, or Interested in, to his or their own use, or in his or their own proper Right, either in Law or Equity, (except the wearing Apparel and Bedding, or working Tools of him or them, not exceeding the Sum of Ten Pounds Current Money,) and it shall and may be lawful, for any of their Creditors, their Executors, Administrators and Assigns, to take out new Execution or Executions against the Lands, Tenements, or other Hereditaments, Goods and Chattels, of the said Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher and William Biggs, (except as before excepted) for the Satisfaction of his or their Debts, in such sort, manner and form, as he or they might have done, if the said Samuel Deavor, Michael Taylor, William Burros,

James Carter, Sarah Butcher, and William Biggs, had not been taken in Execution or discharged by virtue of this Act. Session Laws

And be it further Enacted by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice or Justices, for the performing their Office in Pursuance of this Act, he may plead the general Issue, and give this Act, and the Matter in Evidence, and if the Plaintiff be Non-suit, or discontinue his Action, or Verdict pass against such Plaintiff or Judgment upon Demurrer, the Defendant shall have and recover his full Costs. Justices and Sheriffs to plead this Act in Actions of Escape, &c.

Provided also, That nothing in this Act shall extend or be construed to extend to bar any Creditor or Creditors of the before mentioned Prisoners, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making of this Act. Proviso.

Provided nevertheless, That in Case the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher and William Biggs*, shall at any time after making such his Oath or Oaths, or taking such his Affirmation or Affirmations as aforesaid, be Convict of wilful and corrupt Perjury thereupon, or of a wilful Breach, or Noncompliance with the tenor of such Oath or Affirmation as aforesaid, that then the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher and William Biggs* being Convicted as aforesaid, shall upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him or them by this Law, and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever, in the same manner as if this Act had never been made; any thing to the contrary notwithstanding. Persons intended to be reliev'd by this Act, if perjur'd, not to receive any benefit therefrom.

Provided always, That the Sheriffs of *Ann-Arundel, Prince George's, Kent, Cæcil, Dorchester and St. Mary's*, shall be first satisfied their imprisonment Fees, out of the respective Effects of the said Prisoners, before any other Creditor or Creditors shall have any share of the Prisoners Effects, and if the said Prisoners Effects shall not be sufficient to satisfy the Sheriffs their imprisonment Fees, that then the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher, and William Biggs*, shall Satisfy and Pay to the Sheriffs the residue of their imprisonment Fees, provided that the said Sheriffs shall not Prosecute, Detain or Imprison the said *Samuel Deavor, Michael Taylor, William Burros, James Carter, Sarah Butcher and William Biggs*, within two Years after his or their Releasement; any thing in this Act to the contrary notwithstanding. Sheriff's Fees to be first paid out of the Prisoners Effects.

And be it further Enacted by the Authority aforesaid, That if any of the Persons intended to be relieved by this Act, are and shall be of sufficient ability of Body to Labour, such Person or Persons, not having a Wife or Family, shall be and are hereby obliged to Serve p. 23

Session a Term not exceeding Five Years, to any Person or Persons who
 Laws are or shall be inclinable to purchase the Time and Servitude of such Debtor or Debtors as aforesaid, and that the respective Sheriffs in whose Custody the aforesaid Persons, or any of them, are, be, and are hereby, authorized, impowered and obliged, at the first County Court to be held for their respective Counties next after the end of this Session, and during the Time of Court sitting, by order of such Court, to publish the Sale of such Debtor, and the Time of his Servitude, and the same may and are hereby obliged to sell or dispose of to the highest Bidder, and the Money arising from such Sale, shall be as Effects of such Debtor in the hands of such respective Sheriff as aforesaid, subject to an equal distribution to the Creditors of such Debtor or Debtors, and such Sheriff is hereby obliged to distribute the same in equal proportion to such Creditors accordingly.

Prisoners
to be Sold.

Proviso. *Provided always*, That any such Debtor or Debtors being Single and subjected to Serve as aforesaid, and being Sold for that purpose, that then and in such case such Sale and Service is hereby deemed a full and sufficient acquittal and discharge against all Debts due from such Person or Persons, before such Sale and Servitude as aforesaid; any thing in this Act, or any Law, Statute, Usage or Custom to the contrary thereof notwithstanding.

Security for
the good
Behaviour
of *Michael
Taylor*
required,
before he
be releas'd.

And be it further Enacted by the Authority aforesaid, That before *Michael Taylor*, one of the Prisoners intended to be relieved by this Act, shall be relieved and discharged from his Imprisonment by virtue of this Act, he the said *Michael Taylor* shall enter into a Recognizance to the Lord Proprietor in the Sum of *Two Hundred Pound* Currency, and also find two good and sufficient Inhabitants of this Province, who shall, on behalf of the said *Michael Taylor*, enter before one Provincial Justice of this Province, or two Justices of *Prince George's* County Court, into a Recognizance or Recognizances to the Lord Proprietary, in the Sum of *One Hundred Pounds* Current Money each, with a Condition or Defeazance that he the said *Michael Taylor* shall keep the Peace and be of good Behaviour towards all his Majesty's Subjects, and particularly towards *William Mauduit* of the said *Prince George's* County, for and during the Term of Five Years.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

*At a Session held at Annapolis May 26–June 22, 1741
Being the Third Session of the Assembly, Elected in 1740*

CHARLES CALVERT, LORD BALTIMORE,
Proprietary

SAMUEL OGLE,
Governor

PROCEEDINGS
THE UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 26th of May in the twenty seventh year of his Lordships Dominion Annoq Domini 1741

U. H. J.
No 33
p. 782
May 26

Present

His Excellency Samuel Ogle Esq^r Governor

Benjamin Tasker Esq ^r	} Col ^o Hammond
George Plater Esq ^r	
Col ^o Holliday	

Mess^{rs} Hanson and Sprigg from the Lower House acquaint his Excellency that there is a sufficient number of Members met to make a House and wait his Excellencys Commands

Benjamin Tasker Esq^r is sent to acquaint the Lower House that his Excellency requires the Speaker and the House to attend him in the Upper House

The Speaker and the Lower House attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I have called you together as usual for the dispatch of Business, and hope We are all met with a hearty Resolution to promote the

U. H. J. publick Good and to avoid all unnecessary Disputes as much as Possible.

For my own Part I desire nothing more earnestly than the Happiness and Prosperity of the Province, and shall be always ready to Join my Endeavours with Yours for that Purpose, and to oblige you in every thing, as far, as is consistent with the Duty of my Station and further I hope no reasonable Man will expect or desire me to go.

It is the Sense of my Duty to his Majesty and the Lord Proprietary that has Obliged me so often and so earnestly to recommend to you the Continuance of the Fund, for purchasing Arms and Ammunition for the Defence of the Province, and I must still renew my Sollicitations to you upon this Head my Duty not permitting me ever to neglect so very necessary and essential a Point.

You must be very sensible that this Fund has always been thought necessary, even in Time of Peace, and I hope you will not think a time of War a proper Season for the Discontinuance of it, but that
p. 783 you will rather think it prudent to make some further Provision for our Safety and Security; but whatever Quantity of Arms and Ammunition you may think sufficient for the Province, a proper Magazine for the Security of them is certainly very necessary, and that We have not such a one at present is but too well known for me to enlarge any further upon the Subject; I shall therefore leave it to your Prudence and Discretion.

There are many other things proper to be taken into Consideration, which I think unnecessary to mention to you in particular, As Our several Sentiments on any Subject may be so easily communicated to one another in the usual manner by Messages therefore shall only Observe to you that the Happiness of all People depends so greatly upon the Goodness of the Laws they live under, that it is impossible for any Number of Men, met together in a Legislative Capacity, too be too sensible of the Importance of their Trusts or too diligent and careful in the Discharge of it

I am very fully perswaded, that a great deal of Good might accrue to the Inhabitants of this Province, by a wise and prudent Amendment of Our Laws, and should think no Pains too great to effect so very desirable a thing; Promoting the Happiness of numbers of People so immediately under ones Care, being a Pleasure that every rational man in my Station, must desire to procure to himself, if he can, as the best Recompence for the Cares and Troubles of Government whatever Regard Governors may be Supposed to have to other Considerations, which I hope shall always despise whenever they come in Competition with my Duty

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 27th May 1741

U. H. J.
May 27

The House met according to Adjournment

Present as yesterday

Adjourned till two of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met according to Adjournment

Present as in the Morning with the Addition of Col^o Harris.

The honourable Benjamin Tasker Esq^r attended by the Members p. 784
of this House presents to his Excellency the Address of this House,
which Address is as follows

To his Excellency Samuel Ogle Esq^r Governor and Commander
in Chief in and over the Province of Maryland

The humble Address of the Upper House of Assembly
May it please your Excellency

We return Your Excellency our unfeigned Thanks for your
kind Speech at the opening this Session and beg Leave to assure you
that We will avoid all unnecessary disputes whatsoever

The Assurance Your Excellency has given us of your earnest
desire to promote the Happiness and Prosperity of the Province
affords us so pleasing a Prospect that We firmly resolve to Use our
hearty Endeavours to procure what is so very desirable

The kind Caution you are pleased to give us to provide for Our
Safety, when We are so much exposed to danger, We shall grate-
fully remember and hope Your Excellencys so often and so earnestly
pressing the Continuance of a Fund for Arms and Ammunition, and
the providing a Magazine will induce all Persons concerned not only
to reflect seriously and candidly on the Scituation We are in, but
also to join in making Provision for the Security of Our Liberties
and Fortunes

We are convinced that the Happiness of all People depends greatly
on the Goodness of the Laws they live under, and are so fully
satisfied from your Excellencys past Conduct that nothing is more
agreeable to you than promoting the Ease and Interest of the People
immediately under Your Care, that We shall with the utmost dili-
gence contribute our Assistance for the Amendment of Our Laws
and doing every other thing that will be serviceable to the Province

Benj^a Tasker, President

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
May 28

Thursday Morning 28 May 1741.

This House met again according to Adjournment

Present as yesterday

His Excellency is pleased to communicate his Answer to the Address of this House in the following Words

Gentlemen of the Upper House of Assembly

I return you hearty Thanks for your kind Address and Approp-
p. 785 bation of my past Conduct, and shall always endeavour by my Actions to deserve the Continuance of your good Opinion of my Administration

Sam: Ogle

Adjourned till two of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Samuel Chamberlain Esq^r

Adjourned till to Morrow Morning ten of the Clock

May 29

Friday Morning 29th May 1741

This House met again according to Adjournment

Present as yesterday

Adjourned till two of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

May 30

Saturday Morning 30 May 1741

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess^{rs} Smith and Lloyd Entitled An Act for reviving an Act of Assembly entituled An Act for the Advancement of Justice as also An Act of Assembly Entituled A Supplementary Act to the Act for Advancement of Justice thus Endorsed

By the Lower House of Assembly 29 May 1741

Read the first Time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo ho.

By the Lower House of Assembly 29 May 1741

Read the second time by an especial Order and will pass.

Signed p Order M Macnemara Ct lo H.

A Bill from the Lower House by Mess^{rs} Hanson and Goldsbor- U. H. J.
ough entitled an Act for Reviving An Act of Assembly entitled
An Act for relieving the Inhabitants of this Province from some p. 786
Aggrievances in the Prosecution of Suits at Law and for reviving
and continuing the supplementary Act thereto thus endorsed.

By the Lower House of Assembly 29 May 1741
Read the first time and Ordered to lie on the Table
Signed p Order M Macnemara Ct lo H.

By the Lower House of Assembly 29 May 1741
Read the second time by an Especial Order and will Pass
Signed p Order M Macnemara Ct lo Ho.

A Bill from the Lower House by Mess^{rs} George and Rumsey
entitled an Act for the Continuance of Baltimore County Court,
Cecil County Court, and Queen Anns County Court, from the first
third and fourth Tuesdays in June next until the first third and
fourth Tuesdays in August next thus Endorsed

By the Lower House of Assembly 29 May 1741
Read the first time and Ordered to lie on the Table
Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 29 May 1741
Read the second time by an Especial Order and will Pass.
Signed p Order M Macnemara Ct lo Ho.

A Bill from the Lower House by Mess^{rs} Sprigg and Sheredine
Entitled An Act to revive and Continue An Act of Assembly of this
Province Entitled An Act for the better Relief of poor Debtors thus
Endorsed.

By the Lower House of Assembly 29 May 1741
Read the first time and Ordered to lie on the Table
Signed p Order M Macnemara Ct. lo Ho.

By the Lower House of Assembly 30 May 1741
Read the second time and will Pass
Signed p Order M Macnemara Ct. lo Ho.

The Honourable Benjamin Tasker Esq^r having laid before this
House the following Account of the moneys expended by him and
the other Gentlemen who were appointed Agents by the Act of
Assembly entitled An Act for raising and issuing Money for main-
taining his Majestys Forces to be raised in this Province and trans-
porting them to the Place of General Rendezvous in the West Indies,
which being Read and examined is approved of.

U. H. J. Publick for maintaining and transporting his p. 787	Majesty Forces raised in the Province of Maryland	D ^r
Sept. 9 th	To 4978 Gallons Iron bound Water Cask rec'd of Captain Geo Wilson at Nottingham in Patuxent at 3 ^d p Gallon	£ s d 62..04.. 6
	To paid M ^r Patrick Creagh for his Cooper and Horse hire going to view and mark the same Cask to Patuxent	2..05.. 0
	To Ditto Lawrence Maynard and Charges for Horse hire and other Expences going to chuse and procure the same Cask	3..17.. 0
	To Thomas Norris for Sloop Hire going for the same Cask and bringing them to Annapolis 11 days at £9 p Month	9..03.. 4
	To Ditto Lawrence Maynard, Richard Burley & Barnaby Perry 14 days in the same Sloop and receiving and delivering her.	4..04.. 0
	To Provisions for the said men	1..17.. 6
		<hr/> £83..11.. 4
	Per Contra	
	By Col ^o Adam Muir ⅔	55..14.. 2
	By Patrick Creagh	27..17.. 2
		<hr/> £83..11.. 4
1740	Captain George Wilson	D ^r
Sept. 9.	To Benjamin Tasker and Charles Carroll } their Order on the hoñble Commis- sioners for Emitting Bills of Credit	£ s d 62..04.. 6
1740	Per Contra	C ^r
Sept. 9.	By 4978 Gallons of Water Cask Iron } bound at 3 ^d p Gall	62..04.. 6
1740	M ^r James Smith of New Town	D ^r
Sept. 6.	To your Order to M ^r John Bullen paid Per Contra	36..11.. 9
1740	By 5006 Cwt. of Bread	36..11.. 9
Sept. 6.		
1740.	Publick of Maryland for maintaining and transporting his Majestys Forces raised in the said Province	D ^r
	To Printing Advertisements for bringing Provi- sions &c paid the Printer	0..15.. 0
	To paid George Chambers for going Express with Letter to Captain Adam Muir to Patowmack In Relation to his Ship	2..09.. 3

To Mr Vachel Denton for a Flat Load Straw for Bedding for the Men	2..10.. 0	U. H. J. p. 788
To William Alexander for maintaining and transporting 91 men including Officers as p the Charter Party dated the 30 th August and his Receipt dated 29 th September	819.. 0.. 0	
To Adam Muir for maintaining and transporting 104 Men including Officers as p his Charter Party dated 30 th August 1740 and his Receipt dated 29 th September	936.. 0.. 0	
To paid Lieutenants Hepburn, Mackenzie and Ramsay for their Accommodation being three European Officers sent to Exercise the new raised Forces	35.. 0.. 0	
To Patrick Creagh for maintaining on Shoar and finding House Room and firing for 297 Men of his Majestys Forces after they had been drawn together by Persons duly qualified by Commission from his Majesty and after the same had been Certified by his Excellency the Governor until Embarkation	330..05.. 8	
To Mr Patrick Creagh for transporting 105 men Officers included being Captain John Lloyds Company and finding Necessaries on Board to the Place of General Rendezvous in the West Indies as by Charter Party dated 30 August 1740 at £9 p head	945..00.. 0	
To paid said Creagh for transporting 7 men of Captain Tho ^s Addisons Company and finding necessaries on Board to the Place of General Rendezvous in the West Indies.	63..00.. 0	
To Clerk for drawing Charter Parties Accounts Letters and for Paper	3..00.. 0	
Mar. 20. To Col ^o Adam Muir for transporting and finding necessaries for 8 men of Captain Thomas Addisons Company being part of his Majestys Forces raised in Maryland from Hampton Road in Virginia to the Place of General Rendezvous as p Certificate of the Officers	72..00.. 0	
To Commission of 5 p Cent on 3208..19..11 is at 5 p Cent	160..09.. 0	
To paid Lawrence Maynard for going Express with a Letter to Captain George Wilson about his Deceit in the Water Cask	1..00.. 0	

U. H. J. To Doctor Charles Carroll made Debtor to the Publick or Maryland for so much Cask in his hands to defray the Expence of Law Suit with Captain George Wilson for Deceit in Water Cask sold as sound which were rotten	}	19.. 6.. 0
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£3389..14..11

p. 789 Publick for maintaining and transporting his Majestys forces raised in the Province of Maryland	}	C ^r
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1740

Sept.	9.	By Benjamin Tasker and Charles Carroll their Order on the Commissioners for Emitting Bills of Credit payable to George Wilson for Water Cask	}	<div style="display: flex; justify-content: space-between; align-items: center;"> £ s d </div> 62..04.. 6
	12.	By Cash then received and Receipt past to the Comm ^{rs} By Benjamin Tasker and Charles Carroll	}	300.. 0.. 0
	19 th	By Cash for which Receipt past by Benjamin Tasker and Charles Carroll	}	506..14.. 0
	29 th	By Benjamin Tasker and Charles Carroll their Order to William Alexander	}	713..15.. 4
		By Ditto their Order to Adam Muir	}	641..13.. 9
Oct.	6.	By received of the Commissioners or Trustees for Emitting Bills of Credit for which Receipt past by Benjamin Tasker Esq ^r and Charles Carroll	}	676..18..10
Dec.	10	By Benjamin Tasker Esq ^r and Charles Carroll their Order on the Commissioners for emitting Bills of Credit payable to Patrick Creagh for Ballance of his Account for finding Provisions and Necessaries on Shoar for the Forces and Transporting some to the Place of General Rendezvous as p his Account Chartar Party and Discharges	}	416..08.. 6

Mar. 20.	By Benjamin Tasker and Charles Carroll Order on the said Commissioners payable to Col ^o Adam Muir for transporting and finding necessaries for 8 Men of Captain Thomas Addisons Company from Hampton Road in Virginia to the Place of General Rendezvous in the West Indies		U. H. J.
		72..00.. 0	
		<hr/>	
		£3389..14..10	
	Doctor Charles Carroll to the Publick of Maryland for maintaining and transporting his Majestys Forces raised in the said Province	D ^r	
1740			
Mar 21	To so much now in his hands to defray the Expence of Law Suit with Captain Geo: Wilson for Deceit in Water Cask sold as Sound which were Rotten	19..06.. 0	
	Publick for Providing for and transporting his Majestys Forces	D ^r	p. 790
1740	To M ^r James Smith at New Town for 5006 Cwt Bread as p Account	36..11.. 9	
	To Sloop Hire 3 Men 10 Days going for the same Bread and Warehouse hire	6.. 0.. 0	
		<hr/>	
		£42..11.. 9	
	Per Contra C ^r		
	By Charged to Col ^o Adam Muir being bought for him	42..11.. 9	
1740	Col ^o Robert King	D ^r	
Sept. 23.	To Cash paid you	467..16.. 0	
	To Credit in Account	3.. 9.. 8	
		<hr/>	
		464.. 5.. 8	
	Per Contra C ^r		
	By 31 Barrells of Pork to William Alexander	93..00.. 0	
	By 56 Barrells to Col ^o Adam Muir	168..00.. 0	
	By 16 Bushells Peas ditto	2..16.. 0	
	By 48 Barrells Pork to Creagh	144..00.. 0	
	By 1/3 your Commission in the Agency with Benjamin Tasker Esq ^r and Doctor Charles Carroll	50..00.. 0	
	By further Payment to compleat your Proportion 5 p Cent Commission	3..09.. 8	
		<hr/>	
		461.. 5.. 8	
		<hr/>	

U. H. J.	Mr Patrick Creagh	Dr	
1740	To paid you p Doctor Charles Carroll		£250.—..—
	To Pork of Col ^o King		144..00.. 0
	To 1/3 of Cask of George Wilson the other 2/3 charged to Muir the whole amount- ing to £83..11..4	}	27..17.. 2
	To paid you by Charles Carroll		500.—..—
	To Benjamin Tasker and Charles Carroll their Order on the Commissioners for Ballance dater 10 December 1740	}	416.. 8.. 6
			<hr/>
			£1338.. 5.. 8

	Per Contra	Cr	
p. 791	By maintaining on Shoar and finding House and Firing for 297 Men of his Majestys Forces after drawn together by Persons duly qual- ified by Commission from his Majesty as cer- tified by his Excellency	}	330.. 5.. 8
	By transporting 105 Men of Captain John Lloyds Company including Officers and finding neces- saries on Board to the Place of General Ren- dezvous in the West Indies as p Charter Party at £9 p head	}	945.—..—
	By Transporting 7 men of Captain Thomas Addi- sons Company and finding necessities on Board to the place of General Rendezvous in the West Indies	}	63.—..—
			<hr/>
			£1338.. 5.. 8

1740.	Col ^o Adam Muir to the Publick of Mary- land for maintaining and transporting his Majestys Forces raised in the said Province	Dr	
	To 2/3 Cask and Charges of Wilson being 83..11..4 1/3 to Creagh	}	£ s d 55..14.. 2
	To Pork and Peas of King		170..16.. 0
	To Bread and Charges of Smith		42..11.. 9
	To Flour &c ^a p Carroll		21..04.. 4
	To Credit Ordered to John Baxter		4..00.. 0
	Sept. 29. To Mess ^{rs} Tasker and Carroll their Order on the Commissioners for Emitting Bills of Credit	}	641..13.. 9
			<hr/>
			936..00.. 0

	Per Contra	C ^r	U. H. J.
By 104 Men including Officers being Captain John Milburns Company taking on Board Your Ship the Sea Nymph as \mathfrak{p} Certificate and to be carried to the Place of General Rendezvous in the West Indies as \mathfrak{p} Certificate dated 30 August at £9 \mathfrak{p} Head			936..00.. 0
	Ditto	D ^r	
1740 Mar. 20. { To Benjamin Tasker and Charles Carroll their Order payable to you on the hoñble the Commissioners for Emitting Bills of Credit			p. 792 72..00.. 0
	Per Contra	C ^r	
By Transporting and finding necessities for 8 men of Captain Thomas Addisons Company being part of his Majestys Forces to the Place of General Rendezvous in the West Indies as \mathfrak{p} Certificate from the Officers			72..00.. 0
1740 M ^r William Alexander		D ^r	
To Col ^o King for Pork			93..00.. 0
To paid you by Doctor Charles Carroll			12..04.. 8
To Benjamin Tasker Esq ^r and Doctor Charles Carroll their On the hoñble the Commissioners for emitting Bills of Credit			713..15.. 4
			<hr/> 819..00.. 0 <hr/>
	Per Contra	C ^r	
By 91 men including Officers of Captain Thomas Addisons Company certified to be taken on Board the Batchellors your Ship to be carried to the Place of Rendezvous in the West Indies as \mathfrak{p} Charter Party dated 30 August at £9 \mathfrak{p} Head			819..00.. 0
	Cash	D ^r	
1740 Sept. { To Cash received \mathfrak{p} Charles Carroll of the Commissioners and received part by him and Benjamin Tasker Esq ^r			300..00.. 0
To Ditto \mathfrak{p} Ditto and Receipt as before			506..14.. 0
To Cash received \mathfrak{p} Charles Carroll and Receipt as before			676..18..10
			<hr/> 1483..12..10 <hr/>

U. H. J. 1740	Per Contra	C ^r
p. 793 Sept. 12.	By Expences on the Water Cask } brought from Patuxent as p Account	21..06..10
	By Advertisements paid for	0..15.. 0
	By paid George Chambers for going Express with } Letter to Potomack	2..09.. 3
	By Load Straw to M ^r Denton for Bedding	2..10.. 0
	By Patrick Creagh paid him	250..00.. 0
	By paid Col ^o Robert King	457..16.. 0
	By paid William Alexander	12..04.. 8
	By paid the Lieutenants Hepburn McKensie and } Ramsay	35..00.. 0
	By Col ^o Adam Muir	25..04.. 4
	By Charges on Bread Bo ^t of James Smith for Muir	6..00.. 0
	By paid Lawrence Maynard for going with a Let- } ter to Nottingham to Captain George Wilson } about his deceit in the Water Cask	1..00.. 0
	By paid Patrick Creagh	500..00.. 0
	By paid Benjamin Tasker Esq ^r $\frac{1}{3}$ Commission	53..09.. 8
	By Allowance to Clerk &c ^a	3..00.. 0
	By paid James Smith at New Town for Bread his } Order to John Bullen	36..11.. 9
	By Charles Carroll for $\frac{1}{3}$ Commission	53..09.. 8
	By further Payment to Col ^o Robert King to Com- } pleat his Commission of £53..9..8.	3..09.. 8
	By Doctor Charles Carrol D ^r to the Publick of } Maryland for so much Cask in his hands to } defray the Expence of Law Suit with Capt. } George Wilson for Deceit in Water Cask sold } as sound which were rotten	19..06.. 0
		<hr/> £1483..12..10 <hr/>

p. 794 Pursuant to a Clause in an Act of Assembly of the Province of Maryland Entituled an Act for raising and issuing Money for maintaining his Majestys Forces to be raised in this Province and Transporting them to the Place of General Rendezvous in the West Indies, the Accounts hereunto annexed are rendered and delivered to the honourable the Upper House of Assembly of the said Province, Whereby it appears that the Accommodation and Transportation to the Place of General Rendezvous in the West Indies of three hundred and nine Men (including Officers) of his Majestys Forces raised in Maryland, and likewise three Lieutenants sent from Great Britain and three Corporals sent from the independent Companies at New York which compleats the whole three hundred and fifteen Men with the Officers included as aforesaid hath been paid for, as

appears by the several Certificates, discharges, Charter Parties and U. H. J. other Vouchers relating to the same

Benjamin Tasker Robert King Charles Carroll

29th May 1741

Adjourned till Monday Morning ten of the Clock

Monday Morning 1st June 1741

June 1

This House met again according to Adjournment

Present as on Saturday

A Message from the Lower House by Mess^{rs} Rumsey and Weems

By the Lower House of Assembly 1 June 1741

May it please your Honours.

This House hath appointed Col^o Colvill, M^r Rumsey, M^r Sherdine M^r Pemberton M^r Weems and M^r Gale to join any Member or Members your House shall appoint as a Committee to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly

Signed p Order M Macnemara C^t lo. Ho.

The following Message is sent by Samuel Chamberlain Esq^r

By the Upper House of Assembly 1 June 1741

Gentlemen

In answer to your Message of this day by Mess^{rs} Rumsey and Weems this House hath appointed the honourable Col^o Levin Gale to join the Members named by your House to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency

Signed p Order John Ross C^t Up Ho.

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

p. 795

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Sprigg and Hall entitled An Act reviving An Act of Assembly of this Province entitled An Act for the speedy Recovery of small Debts out of Court before a Single Justice of the Peace thus Endorsed

By the Lower House of Assembly 29 May 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t lo Ho.

By the Lower House of Assembly 1 June 1741

Read the second time and will Pass

Signed p Order M Macnemara C^t lo Ho.

U. H. J. A Bill from the Lower House by Mess^{rs} Hanson and Gist Entitled A Supplementary Act to the Act Entitled An Act for emitting and making Current 90000£ Current Money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed thus Endorsed

By the Lower House of Assembly 29 May 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 1 June 1741

Read the second time and will Pass.

Signed p Order M Macnemara Ct lo Ho.

Read the first and second time by an especial Order the Bill entituled An Act for the Continuance of Baltimore County Court, Cecil County Court, Kent County Court and Queen Anns County Court from the first third and fourth Tuesdays in June next until the first third and fourth Tuesdays in August next and Passed and sent to the Lower House by Col^o Harris

A Bill from the Lower House by Mess^{rs} King and Henry Entitled An Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise thus Endorsed

p. 796 By the Lower House of Assembly 30 May 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 1 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the Petition of the Reverend M^r John Lang Rector of Saint James's Parish in Ann Arundel County praying a Bill may be brought in to enable him to Lease the Lands Bequeathed by James Rigby and Nicholas Terrett to the Minister of the said Parish for the time being for three Lives or twenty one Years reserving an Annual Rent payable to the Minister of the said Parish

Read the Petition of the Vestrymen and sundry the Inhabitants of Queen Anns Parish in Prince Georges County praying that An Act may pass to levy on the Taxable Inhabitants of the said Parish the sum of One hundred Pounds to repair the Chappel built by the Reverend M^r Henderson and his late Wife and that the said Chappel may be made a Chappel of Ease for the said Parish

Read the Petition of the Visitors of Kent County Free School praying a Bill may be brought in to enable the Visitors of the same School for the time being to lease out such Quantities of the Land belonging to the said School assigned for the Conveniency of mak-

ing Corn and other Grain for the use of the Master as should be U.H.J. thought necessary

Read the Petition of the Rector Vestrymen Church Wardens and others the Inhabitants of all Faiths Parish in Saint Marys and Charles Counties praying that An Act may pass enabling the Justices of the said County to levy two thousand Pounds in ten Years on the taxable Inhabitants of the said Parish to build a new Church on the Church Land in the said County

Read the Petition of John Blandford of Prince Georges County praying an Allowance may be made for him for a Slave of his who died in Prison before his Trial, the said slave being committed on Suspition of conspiring the Death of sundry white People of this Province

Read the Petition of James Claypoole praying an Allowance may be made him for the Fees due upon the Conviction and execution of a White Servant Man of his amounting to 5241Cw^t Tobacco

Read the Petition of many the Inhabitants and Freeholders in Baltimore County praying Leave to bring in a Bill to lay out a Parcel of Land on a Creek called Jones's Falls by way of Addition to the Town called Jones's Town the several foregoing Petitions are referred to the Consideration of the Lower House of Assembly and sent by Samuel Chamberlain Esq^r p. 797

Read the Petition of the Rector Vestrymen and Church Wardens and many other the Inhabitants of Saint Lukes Parish in Queen Anns County praying a Bill may be brought in to build a Chappel of Ease in the said Parish on a neck of Land called Tulleys Neck and Rejected

Adjourned till to Morrow Morning ten of the Clock.

Tuesday Morning 2^d June 1741

June 2

The House met again according to Adjournment

Present as yesterday

Read the Petition of Thomas Harris of Queen Anns County Administ^r of Edward Harris Deceased praying an Allowance may be made him for a Negro Slave called Peter who died in Prison before his Execution being Convicted of Murdering his late Master

Read the Petition of Benjamin Howard of Ann Arundel County praying Leave to bring in a Bill to cut of the Entail of part of a certain Tract of Land called Ropers Neck in Ann Arundel County and to settle other Lands in Lieu.

Read the Petition of Nicholas Hammond, Peter Topping, Henry Templemen, Edward Cooley Stephen Lilley and Ann Rind languishing Prisoners in Ann Arundel County Goal praying Relief the foregoing Petitions are referred to the Consideration of the Lower House of Assembly and sent by Col^o Hammond

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
June 3

Wednesday Morning 3^d June 1741

The House met according to Adjournment

Present as Yesterday

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

The House met according to Adjournment

Present as in the Morning

Read the Petition of Thomas Spalding of Saint Marys County and Catherine his Wife praying Leave to bring in a Bill to cut of the Entail of a Tract of Land called Coopers Purchase lying in
p. 798 St. Marys County aforesaid and to settle other Lands in Lieu thereof

Read the Petition of Hannah Ratcliffe of Queen Anns County Widow, Executrix of the last Will and Testament of William Ratcliffe deceased praying an Allowance may be made her for a Slave who died in Prison before Tryal belonging to her late Husband and which Slave was by him apprehended and committed to Prison for the Murder of his fellow Slave

Read the Petition of Archibald Douglas of Cecil County praying Leave to bring in a Bill to invest him with an Estate in Fee Simple in one moiety of a Tract of Land called the Levell or Scutts Levell lying in Baltimore County the foregoing Petitions are referred to the Consideration of the Lower House of Assembly and sent by Col^o Holliday

Adjourned till to Morrow Morning ten of the Clock

June 4

Thursday Morning 4 June 1741

This House met again according to Adjournment

Present as Yesterday

Mess^{rs} Hooper and Ennalls from the Lower House attend with M^r Henry Trippe a Member reelected for Dorchester County in Order to see him Qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test and then withdrew

Read the Petition of John Rogers of Kent County praying Leave to bring in a Bill enabling Thomas Williams and Mary his Wife the Relict of Benjamin Hopkins late of the said County to convey a Tract of Land called Hangmans Folly lying in Kent County aforesaid to him the said Rogers in lieu of a Tract of Land to be conveyed by the said Rogers to the said Hopkins for which the said Rogers past his Bond to him for twenty thousand Pounds of Tobacco, Rejected

Read the first time the several Bills following viz. An Act reviving U. H. J.
ing An Act of Assembly of this Province entituled An Act for the
speedy Recovery of small Debts out of Court before a Single Jus-
tice of the Peace, An Act for reviving An Act of Assembly entituled
An Act for relieving the Inhabitants of this Province from some
Aggrievances in the Prosecution of Suits at Law and for reviving
and continuing the Supplementary Act thereto; An Act reviving
An Act of Assembly entituled An Act for Advancement of Justice
as also an Act of Assembly entituled A Supplementary Act to the
Act for the Advancement of Justice; An Act to revive and continue
an Act of Assembly of this Province entituled An Act for the better
Relief of poor Debtors; An Act to revive an Act of Assembly of p. 799
this Province entituled A supplementary Act to the Act entituled
An Act for emitting and making Current ninety Thousand Pounds
Current Money of Maryland in Bills of Credit and to restrain some
evil Practices of Sheriffs under Colour of the said Act Committed,
Ordered to lie on the Table

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 5 June 1741

June 5

This House met again according to Adjournment

Present as Yesterday

Read the Petition of John Pollard of Dorchester County and re-
ferred to the Consideration of the next Session of Assembly and
ordered that notice be given to all Persons concerned of such
Application

Read the Petition of William Barefoot languishing Prisoner in
Ann Arundel County Goal and of Patrick M^eVey in Talbot County
Goal praying Relief Referred to the Consideration of the Lower
House of Assembly and sent by Col^o Harris

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the first time the Bill entituled An Act for the Trial of all
matters of Fact in the several Counties where they have arisen or
shall arise and Ordered to lie on the Table

U. H. J. A Bill from the Lower House by Mess^{rs} Stoughton and Read
Entituled An Act for Limitation of Officers Fees thus Endorsed

By the Lower House of Assembly 1 June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t lo Ho

By the Lower House of Assembly 5 June 1741

p. 800 Read the second time and will Pass

Signed p Order M Macnemara C^t lo Ho.

A Bill from the Lower House by Mess^{rs} Wootton and Wright
Entituled An Act for the Enlargement of the Jurisdiction of the
County Courts thus Endorsed

By the Lower House of Assembly 3^d June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t lo Ho.

By the Lower House of Assembly 5 June 1741

Read the second time and will Pass

Signed p Order M Macnemara C^t lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Colville and Gale Enti-
tuled An Act for issuing Writts of Replevin out of the County
Courts of this Province thus Endorsed

By the Lower House of Assembly 3^d June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t lo Ho.

By the Lower House of Assembly 5 June 1741

Read the second time and will Pass

Signed p Order M Macnemara C^t lo. Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Calder and Trippe Enti-
tuled An Act to enable the Visitors of the Free School of Kent
County for the time being to lease one Moiety of the land belonging
to the same School thus Endorsed.

By the Lower House of Assembly 3^d June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t: lo: Ho.

By the Lower House of Assembly 5 June 1741

Read the second time and will Pass

Signed p Order M Macnemara C^t lo Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till to Morrow Morning ten of the Clock.

Saturday Morning 6 June 1741

June 6
p. 801

This House met again according to Adjournment

Present as Yesterday with the Addition of Philip Lee Esq^r

A Bill from the Lower House by Mess^{rs} Wootton and Pearce entituled An Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of Queen Anns Parish in the said County the sum of One hundred Pounds Current Money of Maryland for the Uses therein mentioned thus Endorsed

By the Lower House of Assembly 4 June 1741

Read the first time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 5 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

Read the second time the Bill entituled An Act to enable the Visitors of the Free School of Kent County for the time being to lease one Moiety of the land belonging to the same School and will Pass with the following Amendments, between the Words, Land and belonging, in the Title of the said Bill insert these Words, except Ten Acres in the 2^d Line of 2^d Page, between the Words aforesaid, and, into, put these Words, except Ten Acres, in 5th Line of the same Page instead of the Words, any Persons, insert the following Words, to the highest Bidder ten days Notice being first given, and sent by George Plater Esq^r

A Bill from the Lower House by Mess^{rs} Sprigg and Swann Entituled An Act for the Relief of John Blandford and Hannah Ratcliffe thus Endorsed

By the Lower House of Assembly 5 June 1741

Read the first time and ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 6 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Magruder and Sheredine Entituled An Act to cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to convey the same p. 802 in fee in Exchange for other Lands thus Endorsed

By the Lower House of Assembly 5 June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

U. H. J.

By the Lower House of Assembly 6 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

Two Bills from the Lower House by Mess^{rs} Hanson and Goldsborough One Entituled An Act for laying out and applying a Sum not exceeding two hundred and fifty Pounds Current Money for the uses therein mentioned, the other entituled an Act empowering the three Commissioners herein mentioned together with the Justices of Calvert County to repair the Court House of that County by an Assessment on the Inhabitants thereof thus Endorsed

By the Lower House of Assembly 5 June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M. Macnemara Ct. lo Ho.

By the Lower House of Assembly 6 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till Monday Morning ten of the Clock

June 8

Monday Morning 8 June 1741

This House met again according to Adjournment

Present

	Benjamin Tasker Esq ^r	} Col ^o Hammond Col ^o Gale Col ^o Harris Samuel Chamberlain Esq ^r
the hon ^{ble}	Philip Lee Esq ^r	
	George Plater Esq ^r	
	Col ^o Holliday	

Read the second time the Bill entituled An Act for laying out and applying A Sum not exceeding two hundred and fifty Pounds Current Money to the uses therein mentioned Passed and sent by Philip Lee Esq^r

p. 803 Read the second time the Bill entituled An Act empowering the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to convey the same in Fee in Exchange for other Lands and will Pass the following Clause being added Saving to his most Sacred Majesty his Heirs and Successors, the Right Honourable the Lord Prop^{ry} his Heirs and Successors and all Bodies Politick and Corporate and all others not mentioned in this Bill their several and respective Rights, sent by Samuel Chamberlain Esq^r

Read the second time the Bill entituled An Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants

of Queen Anns Parish in the said County the Sum of One hundred U. H. J.
Pounds Current Money of Maryland for the uses therein mentioned
passed and sent by Col^o Gale

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock.

Tuesday Morning 9 June 1741

June 9

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill entituled An Act for the Enlarge-
ment of the Jurisdiction of the County Courts and will not Pass and
sent by Col^o Hammond

Read the second time the Bill entituled An Act for the Relief of
John Blandford and Hannah Ratcliffe passed and sent by
Col^o Holliday

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 10 June 1741

June 10

This House met again according to Adjournment

Present as yesterday

Read the Petition of the Rector Vestrymen Church Wardens
and others the Inhabitants of Saint Pauls Parish in Baltimore
County praying Referred to the Consideration of the Lower House p. 804
of Assembly and that the Yearly Assessment prayed for be made
in Current Money of this Province instead of Tobacco

Read the second time the Bill entituled An Act empowering the
three Commissioners herein named together with the Justices of
Calvert County to repair the Court House of that County by an
Assessment on the Inhabitants thereof passed and sent by Samuel
Chamberlain Esq^r

Read the second time the Bill entituled An Act for issuing Writts
of Replevin out of the County Courts of this Province and will not
Pass and sent by Col^o Harris

U. H. J. Ordered that George Plater Esq^r Col^o Levin Gale and Samuel Chamberlain Esq^r compare the Bill for Regulation of Officers Fees brought up from the Lower House with the Regulation of Officers Fees made by the Right Hoⁿble the Lord Proprietary in Council and likewise enquire into the several Regulations of Officers Fees heretofore made in this Province

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem ·

This House met again according to Adjournment

Present as in the morning

A Bill from the Lower House by Mess^{rs} Smith and Harris Entitled An Act to prevent the Exportation of Indian Corn for the time therein limited thus endorsed

By the Lower House of Assembly 10 June 1741

Read the first time and Ordered to lie on the Table

Signed ꝑ Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 10 June 1741

Read the second time and will Pass

Signed ꝑ Order M Macnemara Cl lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Hanson and Gist Entitled A Supplementary Act to the Act entitled An Act for repairing the damages already sustained in the Records of the Land Secretarys Commissarys & County Court Offices and for Security of the same Records for the future thus Endorsed

By the Lower House of Assembly 8 June 1741

p. 805 Read the first time and Ordered to lie on the Table

Signed ꝑ Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 10 June 1741

Read the second time and will Pass

Signed ꝑ Order M Macnemara Cl lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Hooper and Wootton Entitled An Act for the cutting of the Entail and investing an Estate of Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catharine his Wife and to entail other Lands lying in Saint Marys County in Lieu thereof thus endorsed

By the Lower House of Assembly 8 June 1741

Read the first time and Ordered to lie on the Table

Signed ꝑ Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 10 June 1741 U. H. J.
Read the second time and will Pass
Signed p Order M Macnemara Ct lo Ho.
Read the first time in this House and Ordered to lie on the Table
Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 11 June 1741 June 11
This House met again according to Adjournment

Present as Yesterday

Mess^{rs} Smith and Hanson from the Lower House acquaint his Excellency that their Speaker could not attend the Publick Service

Col^o Hammond is sent to acquaint the Members of the Lower House that his Excellency requires their Attendance in the Upper House immediately

The Members of the Lower House accordingly attend and his Excellency Orders them to return to their House and make Choice of a Speaker

M^{rs} Hanson and Smith from the Lower House acquaint his Excellency their House hath made Choice of a Speaker

Col^o Holliday is sent to the Lower House to inform them his Excellency requires their Attendance in the Upper House to present their Speaker for his Approbation

The whole House attend and present Col^o King as their Speaker p. 806
with which Choice his Excellency declares himself well pleased thereupon the Lower House withdrew

A Bill from the Lower House by Mess^{rs} Colville and Rumsey Entituled An Act investing Archibald Douglas of Cecil County Son and Heir of William and Mary Douglas deceased with an Estate in fee Simple in one Moiety of a Tract of Land called the Levell or Scutts Levell lying in Baltimore County thus Endorsed

By the Lower House of Assembly 10 June 1741
Read the first time and Ordered to lie on the Table.
Signed p Order M. Macnemara Ct lo Ho.

By the Lower House of Assembly 11 June 1741
Read the second time and will Pass
Signed p order M Macnemara Ct lo Ho.
Read the first time in this House and Ordered to lie on the Table

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

U. H. J.

Present as in the Morning

An Engrossed Bill from the Lower House by Mess^{rs} Calder and Sprigg Entituled An Act to enable the Visitors of the Free School of Kent County for the time being to lease one Moiety of the Land except Ten Acres belonging to the same School thus Subscribed

9th June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

Two Engrossed Bills from the Lower House by Mess^{rs} Denton and Harris One Entituled An Act for laying out and applying a Sum not exceeding two hundred and fifty Pounds Current Money to the Uses therein mentioned; the other Entituled An Act to cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to convey the same in Fee in Exchange for other Lands thus Subscribed

10 June 1741

Read and Assented to by the Lower House of Assembly

Signed p order M Macnemara Ct lo Ho.

An Engrossed Bill from the Lower House by Mess^{rs} Lloyd & Wilkinson Entituled An Act for the Relief of John Blandford and Hannah Ratcliffe thus Subscribed

11 June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

p. 807 An Engrossed Bill from the Lower House by Mess^{rs} Gist & Waughop Entituled An Act for the Continuance of Baltimore County Court Cecil County Court, Kent County Court and Queen Anns County Court from the first third and fourth Tuesdays in June next, until the first third and fourth Tuesdays in August next thus Subscribed

6 June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

The foregoing Bills were severally read and Assented to by this House and Ordered to be so Subscribed

Read the second time the Bill entituled An Act for the cutting of the Entail and investing an Estate of Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife and to entail other Lands lying in Saint Marys County in Lieu thereof, passed and sent by George Plater Esq^r

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 12 June 1741

U. H. J.
June 12

This House met again according to Adjournment

Present as yesterday

Mess^{rs} George and Wilkinson from the Lower House attend with M^r Thomas Hammond A Member elected for Queen Anns County in the Room of M^r Edward Wright deceased who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test and then withdrew

An Engrossed Bill from the Lower House by Mess^{rs} Smith and Brome Entituled An Act impowering the three Commissioners herein named together with the Justices of Calvert County to repair the Court House of that County by an Assessment on the Inhabitants thereof thus Subscribed

12 June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

Read and Assented to by this House and Ordered to be so Subscribed

Read the second time the Bill entituled A Supplementary Act to the Act Entituled an Act for repairing the damages already Sustained in the Records of the Land Secretarys Commissarys and County Court Offices and for Security of the same Records for the future and will not Pass and sent by Philip Lee Esq^r p. 808

An Engrossed Bill from the Lower House by Mess^{rs} Wootton and Hall Entituled An Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of Queen Anns Parish in the said County the Sum of One hundred Pounds Current Money of Maryland for the Uses therein mentioned thus Subscribed

12 June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

Read and Assented to by this House and Ordered to be so Subscribed

Read the second time the Bill entituled An Act to prevent the Exportation of Indian Corn for the time therein limited and will Pass with the following Amendments, the Words, fifteenth, in 8th, 11th & 14th Line, to be made twentieth, after the Word, forfeiture, in 8th Line of the 2^d Page put to the Right Honourable the Lord Proprietary his Heirs and Successors, instead of the Words, shall be divided among the Greatest Objects of Charity in the County where such Seizure shall be made, of which Objects the Major part of the Justices of such County shall Judge and determine; sent by Samuel Chamberlain Esq^r

Read the second time the Bill entituled An Act investing Archibald Douglas of Cecil County Son and Heir of William and Mary

U. H. J. Douglas dēcd with an Estate in Fee Simple in the one Moiety of a Tract of Land called the Level or Scutts Level lying in Baltimore County Passed and sent by Col^o Harris

Read the Petition of Mary Penn languishing Prisoner in Ann Arundel County Goal praying Relief Referred to the Consideration of the Lower House of Assembly and sent by George Plater Esq^r

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of Joseph Williams of Ann Arundel County praying Leave to bring in a Bill to cut of the Entail of a Tract of Land called Williams Range lying in Prince Georges County and to settle other Lands in Lieu thereof Referred to the Consideration of the Lower House of Assembly and sent by Col^o Hammond

p. 809 Read the Petition of Samuel Preston Moore, Margarett Moore, Richard Moore, Mordecai Moore, Thomas Moore, and Charles Moore praying Leave to bring in a Bill to confirm a deed of Bargain and Sale from William Mitchell, Edward Mitchell and Grace his Wife to a certain Mordecai Moore Grandfather to the Petitioners for the Moiety of a Tract of Land lying in Ann Arundel County called Mitchells Chance containing two hundred Acres, the said Deed not being Recorded in time, Referred to the Consideration of the next Session of Assembly, and Ordered that the Petitioners give all Parties concerned notice thereof, and that they also then produce Vouchers for the Payment of the Consideration money of the said Land

Adjourned till to Morrow Morning ten of the Clock

June 13

Saturday Morning 13 June 1741

This House met again according to Adjournment

Present as Yesterday

Col^o Gale from the Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office brings in the following Report

At A Committee of both Houses of Assembly appointed to inspect the Office and Proceedings of the Commissioners for Emitting the Paper Money in Maryland 8 June 1741

Were Present

The honourable Levin Gale Esq^r of the Upper House

Col ^o Thomas Colvill	M ^r William Rumsey	} of the Lower House
M ^r Thomas Sheredine	M ^r Grundy Pemberton	
M ^r James Weems	M ^r John Gale	

Who make Choice of the honourable Levin Gale Esq^r for their U.H.J. Chairman and of William Ghiselin for their Clerk and agree to make the following Report viz.

Your Committee have carefully inspected the State of the Office for emitting the Paper Money and find the same in good Order, and that the Commissioners or Trustees have closed their Account of the Iron Chest to the 8th day of May 1741 Ballance therein 3418[£]..8^s..10^d that there still remains in the Office unsigned Bills for £3125 part of the 89990[£] principal Stock not lent out nor applied £6943..9..6 whereof £5295..00..3 is appropriated to particular uses and £1248..9..3 remains unappropriated of the Principal Stock as by the Annexed Account appears

Your Committee further signify that by direction of both Houses p. 810 of Assembly and desire of the Commissioners for emitting the Paper Money, Your Committee did count over and see destroyed and Burnt to Ashes by the said Commissioners the following torn and defaced Bills viz. 206 of twenty Shillings each 169 Bills of Fifteen Shillings each 910 Bills of ten Shillings each and 1171 Bills of Five Shillings each 2226 Bills of two Shillings and Six Pence each 3384 Bills of One Shilling and Six Pence each and 4944 Bills of One Shilling each amounting in the whole to the Sum of £1859..15..0 and that your Committee did also see that Book containing 1250 Bills of twenty Shillings each mentioned in former Reports to be spoiled by indenting with an Engine destroyed and Burnt to Ashes by the aforesaid Commissioners all which is humbly Submitted to both Houses of Assembly

James Weems	William Rumsey	Levin Gale
John Gale	Tho ^s Sheredine	Thomas Colvill

D^r The Office for Emitting the Paper Money of Maryland from the 23^d of April 1740 to the 8th May 1741 inclusive

To Ballance of Account stated 23 ^d April 1740 by a Committee of both Houses for such part of the £89990 as was then Signed	$\begin{array}{r} \text{£} \quad \text{s} \quad \text{d} \\ 5652 \quad 6 \quad 0\frac{3}{4} \end{array}$
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<p style="text-align: center;">Bills</p> <p>To 14 Books of 2..6 1250 each</p> <p>To 2 Books of 1..6 1250 each</p> <p>To 5 Books of 1. 1250 each</p>	<p style="font-size: 4em;">}</p>	<p>being so much signed since 23^d April 1740 of 5812[£]..10^s o f unsigned Bills mentioned in last Years Ac- count and Re- port part of the aforesaid £89990</p>
		<p>2687..10.. 0</p>

To Principal Money paid into the Office on Loans from 23 ^d of April 1740 to the 8 th of May 1741 inclusive	$\begin{array}{r} 1333 \quad 00 \quad 0 \end{array}$
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U. H. J.	To Interest paid into ditto in same time	221..05.. 6
	To Money paid into ditto for non Burners	2..17.. 0
	To Money paid into the Office by James Holliday Esq ^r Treasurer of the Eastern Shore in pursuance of an Act of Assembly made in August Session 1737	205..00.. 0
	To Ditto by Charles Hammond Esq ^r Treasurer of the Western Shore in Pursuance of said Act	
	To Ditto paid by Benjamin Tasker Esq ^r Naval Officer for the half part of the twenty Shillings Sterling duty on Negroes to 29 th of September last	1029..08.. 6¼
		217..02.. 5
		11348..09.. 6
p. 811	By Money paid Robert Gordon Esq ^r for Salary due last year	40..00.. 0
	By Money paid the Commissioners for their Salaries from 23 ^d of April 1740 to 23 ^d January 1740	
	By Money lent on Interest since 23 ^d April 1740	1350..00.. 0
	By Ditto to William Ghiselin Clerks Salary to 23 ^d Jan ^{ry} 1740	60..00.. 0
	By Money paid for Prince Georges County Goal	
	By Money paid the Tobacco Burners of Talbot County	500..00.. 0
	By Money paid Eleven of the Agents for Encouragement of Persons inlisting for his Majestys Service	32..03.. 0
	By Ditto paid the Agents for Transportation of his Majestys Levies in this Province	2357..10.. 0
	By Petit Expences Charges of the Office as p Account	
		3389..14..11
		20..12.. 9
		7390..00.. 8
	Ballance remaining in the Iron Chest Signed	3418..08..10
		£11348..09.. 6
	Memorandum Money Appropriated but not applied for several County Goals	3000..00.. 0
	To the Governors House	
	Publick Buildings in Annapolis	2291..07.. 4
		3..12..11
		5295..00.. 3
	Remains unappropriated of the aforesaid 89990 Pounds Principal	1248..09.. 3
		£6543..09.. 6

Memorandum Ballance remaining in the Office	}	3418..09.. 6	U. H. J.
signed of the 89990£ as above			
Ditto unsigned of the said 89990			
		3125..00.. 0	
		<hr/>	
		£6943..09.. 6	

1740 The Account of Office Expences referred to in the within Account

To paid William Ghiselin for a Penknife and an Interest Book for Office use	}	0..18.. 9	p. 812
To paid Ditto for one Years taking Care and Cleaning the Office and other Services ending 23 ^d August 1740			
To Money paid M ^{rs} Minskie for Work done to the Office for putting a Peice to a Brass nobb and a large Plate Screw and Staples			
For a Bolt and Key and mending a Hinge for the Office		0..12.. 0	
For mending a Hinge for the Office use to the Windows		0.. 4.. 0	
For a large Hook and Staple for the Door		0..03.. 0	
For mending a Lock and Key to the Wood Room		0..04.. 6	
For a large Pair of And Irons with Brass Nobbs		0..03.. 6	
For 3 Hooks and Staples for Window Shutters		3..00.. 0	
For 4 Screws and Rings		0..03.. 0	
To Money paid Thomas Rutland for Wood		0..06.. 0	
		6..18.. 0	
		<hr/>	
		£20..12.. 9	

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning ten of the Clock

Monday Morning 15 June 1741

June 15

This House met again according to Adjournment

Present

the hoñble	Benjamin Tasker Esq ^r	}	Col ^o Gale
	George Plater Esq ^r		Col ^o Harris
	Col ^o Holliday		Samuel Chamberlain Esq ^r
	Col ^o Hammond		

U. H. J. A Bill from the Lower House by Mess^{rs} Carroll and Thomas Entituled An Act to cut of and Bar the Entail of a certain Tract of Land called Williams's Range in Prince Georges County and to settle other Lands in Lieu thereof thus endorsed

By the Lower House of Assembly 12 June 1741

Read the first time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 13 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

The Journal of the Committee of Accounts is brought from the Lower House by M^r Sprigg and two others thus Subscribed

15 June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

p. 813 Adjourned till two of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

June 16

Tuesday Morning 16 June 1741

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled An Act to cut of and Bar the Entail of part of a certain Tract of Land called Williams's Range in Prince Georges County and to settle other Lands thereof and will Pass, the Words, his Heirs and Successors, being put in after Majesty and Proprietary in the last Line but two, and sent by Col^o Hammond

A Bill from the Lower House by Mess^{rs} Denton and Henry Entituled An Act for the Relief of Nicholas Hammond, Peter Topping, Edward Cooley Henry Templeman, William Bafoot Ann Rind Widow and Mary Penn languishing Prisoners in Ann Arundel County Goal; Joseph Macclester a languishing Prisoner in Somerset County Goal and Patrick McVay a languishing Prisoner in Cecil County Goal thus endorsed

By the Lower House of Assembly 15 June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 16 June 1741 U. H. J.
Read the second time and will Pass
Signed p Order M Macnemara Cl lo Ho.
Read the first time in this House and Ordered to lie on the Table

Mess^{rs} Hooper and Ennalls from the Lower House attend with Mr Jacob Hindman a Member elected for Dorchester County in the Room of Mr John Brannock deceased in Order to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Adjuration and Test and then withdrew

An Engrossed Bill from the Lower House by Mess^{rs} Read & Swann Entituled An Act for the cutting of the Entail and investing an Estate of Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife and to entail other Lands lying in Saint Marys County in Lieu p. 814 thereof thus subscribed

16 June 1741

Read and Assented to by the Lower House of Assembly
Signed p Order M Macnemara Cl lo Ho.

Read and Assented to by this House and Ordered to be so Subscribed.

An Engrossed Bill from the Lower House Entituled An Act investing Archibald Douglas of Cecil County Son and Heir of William and Mary Douglas deceased with an Estate in fee Simple in the One Moiety of a Tract of Land called the Levell or Scutts Levell lying in Baltimore County thus Subscribed

16 June 1741

Read and Assented to by the Lower House of Assembly
Signed p Order M Macnemara Cl lo Ho.

Read and Assented to by this House and Ordered to be so Subscribed

Read the second time the Bill entituled An Act for the speedy Recovery of small Debts out of Court before a Single Justice of the Peace and will not Pass and sent by Col^o Gale

Read the second time the Bill entituled An Act for Limitation of Officers Fees and will not Pass and sent by Col^o Holliday

Read the Petition of Jonas Green of the City of Annapolis Printer praying an Allowance may be made him for the time he resided here from the Year 1738 to the Year 1740 Referred to the Consideration of the Lower House of Assembly and sent by Samuel Chamberlain Esq^r

Read the Petition of several the Inhabitants of Seneca and Monococy in Prince Georges County praying that their Parish

U. H. J. being above 90 Miles in length may be divided, Referred to the Consideration of the next Sessions of Assembly and Ordered that the present Incumbent have notice of such Application
Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill entituled An Act for the Tryal of all matters of Fact in the several Counties where they have arisen or shall arise, and will not Pass and sent by Samuel Chamberlain Esq^r

Read the second time the Bill entituled An Act for reviving An Act of Assembly entituled An Act for the Advancement of Justice as also an Act of Assembly entituled A Supplementary Act to the Act for the Advancement of Justice and will not Pass and sent by Col^o Harris

Read the second time the Bill entituled An Act to revive and
p. 815 continue An Act of Assembly of this Province entituled An Act for the better Relief of Poor Debtors

Read the second time the Bill entituled An Act to revive an Act of Assembly of this Province entituled A Supplementary Act to the Act Entituled An Act for Emitting and making Current Ninety thousand Pounds Current Money of Maryland in Bills of Credit, and to restrain some evil Practices of Sheriffs under Colour of the said Act committed and will not Pass and sent by Col^o Hammond

Read the second time the Bill entituled An Act for reviving an Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for reviving and continuing the Supplementary Act thereto; and will not Pass & sent by Col^o Holliday

Adjourned till to Morrow Morning ten of the Clock

June 17

Wednesday Morning 17 June 1741

This House met again according to Adjournment

Present as Yesterday

Mess^{rs} Sheredine and Gist from the Lower House attend with M^r Aquila Paca A member elected for Baltimore County in the Room of M^r John Moale deceased in Order to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and Subscribes the Abjuration and Test and then withdrew

A Bill from the Lower House by Mess^{rs} Aisquith and Swann U.H.J.
Entituled An Act for the Relief of Charles Sewall of Saint Marys
County Esq^r and other Purposes therein mentioned thus endorsed

By the Lower House of Assembly 12 June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 12 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Cl lo Ho.

Read the first time in this House and Ordered to lie on the Table

Read the second time the Bill entituled An Act for the Relief of
Nicholas Hammond, Peter Topping, Edward Cooley, Henry Tem- p. 816
pleman, William Bafoot Ann Rind Widow, and Mary Penn lan-
guishing Prisoners in Ann Arundel County Goal, Joseph McClester
a languishing Prisoner in Somerset County Goal and Patrick McVay
a languishing Prisoner in Cecil County Goal, and will Pass with
the following Amendments in 18th Line of 4th Page after Patrick
McVay, put, or any of them, and the Words, or any of them, to be
inerted in every succeeding Clause where the Words Patrick McVay
are mentioned, and in the last line of the 7th Page instead of the
Words not having a Wife or Family, insert the following, being
unmarried and having no Family, sent by George Plater Esq^r

A Bill from the Lower House by Mess^{rs} Smith and Gale Enti-
tuled A Supplementary Act to the Act entituled An Act for the
Relief of Debtors and ascertaining the manner of Tenders in To-
bacco and to the Supplementary Act thereto thus endorsed

By the Lower House of Assembly 12 June 1741

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 16 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Cl lo Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

The following Message with the Journal of the Committee of
Accounts is sent by Samuel Chamberlain Esq^r

U. H. J. By the Upper House of Assembly 17 June 1741
Gentlemen

We send you herewith the Journal of the Committee of Accounts which We shall Assent to when you shall have made the following Allowances

21250½ to the Secretary

5647½ to Ditto

374½ to Ditto

28000 to the Attorney General

3033cw^t Tobacco and 120..7..9 Currency to the Clerk of the Council and 7..3..3 to the Printer the particulars of the above Charges are herewith sent, and whatever you may think of some of them part
p. 817 of that We propose to M^r Ross and that to the Printer are for Services of a like nature to some that you have allowed Your own Clerk and the said Printer for

Signed p Order J Ross Ct Up Ho.

A Bill from the Lower House by Mess^{rs} Hanson and Hooper Entitled An Act for raising Three Pence p Hogshead on all Tobacco to be Exported for Purchasing Arms and Ammunition for the defence of this Province thus endorsed

By the Lower House of Assembly 5 June 1741

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 17 June 1741

Read the second time and will Pass

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till to Morrow Morning ten of the Clock

June 18

Thursday Morning 18 June 1741

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill entitled An Act for the Relief of Charles Sewall of Saint Marys County Esq^r and other Purposes therein mentioned and will Pass the following Clause being added thereto, Saving to his most Sacred Majesty his Heirs and Successors the Right hon^{ble} the Lord Proprietary his Heirs and Successors and all Bodies Politick and Corporate and all others not mentioned in this Act their several and [respective] Rights sent by Col^o Harris

Read the second time the Bill Entitled A Supplementary Act to the Act Entitled An Act for the Relief of Debtors and ascertaining the Manner of Tenders in Tobacco and to the supplementary Act thereto, & will not Pass and sent by Col^o Hammond

Several Paper Bills the Originalls of which have Passed this U.H.J.
House, are sent to the Lower House by Col^o Gale
Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower House by Mess^{rs} Magruder
and Sprigg Entituled An Act to cut of and Bar the Entail of part p. 818
of a certain Tract of Land called Williams's Range in Prince
Georges County and to settle other Lands in Lieu thereof thus
Subscribed

18 June 1741

Read and Assented to by the Lower House of Assembly
Signed p Order M Macnemara C^t lo Ho.

An Engrossed Bill from the Lower House by Mess^{rs} Henry and
Gale Entituled An Act for the Relief of Nicholas Hammond Peter
Topping, Edward Cooley Henry Templeman William Bafoot Ann
Rind Widow and Mary Penn languishing Prisoners in Ann Arun-
del County Goal Joseph Macclester a languishing Prisoner in Som-
erset County Goal and Patrick McVay a languishing Prisoner in
Cecil County Goal thus Subscribed

18 June 1741

Read and Assented to by the Lower House of Assembly
Signed p Order M Macnemara C^t lo Ho.

An Engrossed Bill from the Lower House by Mess^{rs} Aisquith
and Swann Entituled An Act for the Relief of Charles Sewall Esq^r
and other Uses therein mentioned thus Subscribed

18 June 1741

Read and Assented to by the Lower House of Assembly
Signed p Order M Macnemara C^t Lo Ho.

Which were severally Read and Assented to by this House and
Ordered to be so subscribed and the Paper Bills so endorsed are sent
to the Lower House by George Plater Esq^r

The Journal of the Committee of Accounts is brought from the
Lower House with the following Message by M^r Sprigg and others

By the Lower House of Assembly 18 June 1741
May it please your Honours

We herewith return you the Journal of Accounts and as the
Reasons given last Session against the Secretary Attorney General
and Clerk of the Councils Accounts still subsist with us, We must
refer Your Honours to those Reasons for not allowing them now

U. H. J. The Clerks of each House of Assembly have Salaries for their Services in Sessions time, and as Ours has no other Allowance for such Services, so we think neither ought Yours and You may perceive We have given both equal Fees for transcribing in the Interval
 p. 819 of Assemblies, Besides that as M^r Ross's Charge for Copying the Regulation of Officers Fees arose from Your House or Your Clerks refusing to lay before a Committee of this House the Book wherein they were Registred; which being a thing of a Publick Nature, We think We had a Right to, We therefore cannot allow for that Charge

M^r Greens Charge for Printing some Orders of Council which appears to have been done for the Satisfaction and at the desire of some private Gentlemen, We cannot allow, the People having no Interest or Benefit by that Publication, We think they ought not to be Charged with it nor have We allowed him for any thing of the same nature

Since therefore Your Honours have agreed that the Articles of our Journal are just We hope you will Pass it, without the Allowances desired, and that without any further Message or Debate about it, for since the People We represent can have no beneficial Laws passed, We would desire the heavy Charge which now hangs over them may be increased as little as Possible

Signed p Order M Macnemara Ct Up Ho.

Read the second time the Bill entituled An Act for raising three Pence p hhd on all Tobacco to be exported for purchasing Arms & Ammunition for the Defence of this Province and with the Amendments proposed in a Message herewith sent will Pass

By the Upper House of Assembly 18 June 1741

Gentlemen

We have carefully perused the Bill sent Us Yesterday by Col^o Hanson and Col^o Hooper, and sorry it gives us so much Room to believe You have little desire to raise any Money to purchase Arms and Ammunition for Defence of the Country

By this Bill, although you have two Treasurers of Fortune and Probity who have given large Securities for the faithful discharge of their Offices, You propose another Person to receive the Money to be raised, you likewise deny the Council who have always since any Money hath been raised for this Purpose which is now upwards of twenty years been jointly intrusted with the Governor in laying it out any share in the disposition of this and reserve a very unusual Power of disposition in yourselves

What Conduct of Ours induces you to attempt doing a thing that
 p. 820 carrys such severe Reflection on the Upper House We are at a Loss to guess, But this We assure you, We shall always endeavour to guard Our Characters in the best manner We can, and admit no Innovations to lessen the Power of the Governor and Council in the

executive part of the Government since such can never be for the U. H. J. Interest of the Province.

Your long keeping back a Bill particularly recommended by his Excellency the Governor the Terms of that now sent up to Us, and a Proviso in it quite Foreign to the Purpose afford a large Field for Debate; but as We sincerely desire the Interest of the Country; to avoid wrangling and to dispatch the Publick Business with as little Expence as Possible, We shall only tell you that if you will amend the Bill in the following manner, We shall Pass it

Instead of Philip Hammond of Ann Arundel County Esq^r Let the Treasurers of this Province be incerted through the Bill; Let the Money be laid out and disposed of for the purchasing Arms and Ammunition for the maintaining a Magazine for the better Defence of this Province and for the due Preservation thereof and paid to the Treasurers of this Province for the time being to be disposed of to the use aforesaid as the Governor and Council for the time being shall direct, Oblige the Naval Officers to Account with the Treasurers; Let the Naval Officers have the usual Commission, and all that part of the Bill after the Word more in the last line but one of the second Page, be left out, to the Continuance of the Bill

And if you do not, shall be so far convinced We are not to expect a Provision for Our Safety from Your House that We shall think it needless to mispend time in endeavouring after it and content Ourselves with having done Our Duty and submit to what Our most Gracious Sovereign shall be pleased to do for us

Signed p Order J Ross Cl Up Ho.

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 19 June 1741

June 19

This House met again according to Adjournment

Present as yesterday

Adjourned till two of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the morning

The following Message with the Journal of Accounts is sent by Col^o Gale

By the Upper House of Assembly 19 June 1741
Gentlemen

We always understood that Your and our Clerk had annual Salaries for their Ordinary Services and Allowances for extraordinary Ones and therefore are much Surprized at Your Message of

U. H. J. Yesterday by M^r Sprigg and others with the Journal of Accounts wherein you seem to suppose the Allowances made to them were only for their Services in Assembly time; if You are right Your Journal is very wrong, for You have made Annual Allowances to both in Years wherein We had no Session, and allowed Your own Clerk for extraordinary Services done, tho you refuse to do it to Ours for some done at the request of Your own Committee; but the Difference you make between the two Clerks does not appear so extraordinary as Your claiming a Right to have the Council Books laid before Your Committee, for We find by a Message the Lower House the 2^d April 1698 made an Apology for a thing of the like Sort in these Words as to our sending a Verbal Message to the Clerk of the Council for Papers without his Majestys hoñble Councils Knowledge or Leave We acknowledge the same an Error but not any wise done out of Presumption as likewise the like Error in sending for the hoñble Sir Thomas Lawrence Secretary

We are not less Surprized at Your refusing an Allowance to M^r Green for printing some Orders of Council which We affirm was done by Order of his Excellency Our Governor after some of Your members had made great Complaint that they were not Printed

You may well remember that both Houses agreed in the Year 1739 to allow M^r Green for Printing all things of Publick nature that he should be directed to Print either by the Governor or either House of Assembly and why you should allow him for Printing things directed by your selves and refuse to comply with that part of your Contract that relates to the Governor and Upper House, We can only account for by supposing you are unwilling the Country should be acquainted with what can be said on the part of the Government

However as Your Journal already amounts to 11510[£]..9^s..4^d We shall not insist on Your making at present any of the Allowances in dispute between us, but shall refer them till next Sessions and have accordingly sent Your Journal down Assented to

Signed p Order J Ross Cl Up Ho.

Adjourned till to Morrow Morning ten of the Clock

June 20
p. 822

Saturday Morning 20 June 1741

This House met again according to Adjournment

Present as Yesterday

Adjourned till two of the Clock in the Afternoon

Eodem die Post Meridiem

U. H. J.

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House with the following Message by M^r Sprigg and five others entituled An Act for the Assessment and Payment of the Publick Charges of the Province thus endorsed

By the Lower House of Assembly 20 June 1741

Read the first and second time by an especial Order and will Pass

Signed p Order M. Macnemara C^t lo Ho.

By the Lower House of Assembly 20 June 1741

May it please your Honours

We send you herewith A Bill for defraying the Publick Charge of the Province according to the Journal Assented to by both Houses, and have left A Blank where your Honours may incert the names of such of Your House as You shall think fit to Join those of Ours mentioned in the Bill as a Committee for apportioning the same

Signed p Order M Macnemara C^t lo Ho.

Read the aforegoing Bill the first time in this House and Ordered to lye on the Table

Adjourned till Monday Morning ten of the Clock

Monday Morning 22^d June 1741

June 22

This House met again according to Adjournment

Present as on Saturday

Read the second time the Bill entituled An Act for the Assessment and Payment of [the Public Charges of] this Province Passed and sent by Samuel Chamberlain Esq^r

An Engrossed Bill from the Lower House by Mess^{rs} Calder and Sprigg Entituled An Act for the Assessment and Payment of the Publick Charges of this Province thus Subscribed

22^d June 1741

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t lo Ho.

Read and Assented to by this House and Ordered to be so Subscribed the Paper Bill so Endorsed is sent to the Lower House by James Harris Esq^r

Col^o Gale is sent to the Lower House to acquaint the Speaker p. 823 that his Excellency requires him and the rest of the Members of that House to attend him immediately in the Upper House to see the Bills passed both Houses this Session receive the Assent

U. H. J. The whole House attend and by their Speaker present to his Excellency the following Bills

N^o 1 An Act to enable the Visitors of the Free School of Kent County for the time being to lease one Moiety of the Land except Ten Acres belonging to the same School

2 An Act for laying out and applying a Sum not exceeding two hundred and fifty Pounds Current Money to the uses therein mentioned

3 An Act to cut off the Entail of a parcel of Land called Ropers Neck and to enable Benjamin Howard to convey the same in Fee in Exchange for other Lands

4 An Act for the Relief of John Blandford & Hannah Ratcliffe

5 An Act for the Continuance of Baltimore County Court, Cecil County Court, Kent County Court and Queen Anns County Court from the first third and fourth Tuesdays in June next, until the first third and fourth Tuesdays in August next.

6 An Act empowering the three Commissioners herein named together with the Justices of Calvert County to repair the Court House of that County by an Assessment on the Inhabitants thereof

7. An Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of Queen Ann Parish in the said County the Sum of One hundred Pounds Current Money of Maryland for the uses therein mentioned

8 An Act for cutting off the Entail and investing an Estate of Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife and to entail other Lands lying in Saint Marys County in Lieu thereof

9 An Act investing Archibald Douglas of Cecil County Son and Heir of William and Mary Douglas deceased with an Estate in Fee Simple in the One Moiety of a Tract of Land called the Levell or Scutts Levell lying in Baltimore County

p. 824 10. An Act to cut of and bar the Entail of part of a certain Tract of Land called Williams Range in Prince Georges County and to settle other Lands in Lieu thereof

11. An Act for the Relief of Nicholas Hammond, Peter Topping, Edward Cooley Henry Templeman, William Bafoot Ann Rind Widow and Mary [Penn] languishing prisoners in Anne Arundel County Goal Joseph Macclester languishing Prisoner in Somerset County Goal and Patrick M^cVay a languishing Prisoner in Cecil County Goal

12. An Act for the Relief of Charles Sewall Esq^r and other uses therein mentioned

13. An Act for the Assessment and Payment of the Publick Charges of this Province

All which were Signed by his Excellency the Governor and As- U.H.J.
sented to on behalf of the Right Honourable the Lord Proprietary
and sealed with his Lordships Greater Seal at Arms, after which
his Excellency makes the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

The Business of this Session being at an End I with the Advice
of his Lordships Council of State do Prorogue this Assembly until
the second Tuesday in September next and you are to take notice
you are Prorogued to that day accordingly

Thus Endeth this Session of Assembly begun and held at the
City of Annapolis the 26th day of May and ending the 22^d day of
June following in the 27th year of his Lordships Dominion and in
the fifteenth year of his Majestys Reign Annoq Domini 1741

Jn^o Ross Cl.

PROCEEDINGS
THE LOWER HOUSE OF ASSEMBLY.

¹⁷⁴¹
L. H. J. At A Session of Assembly held At the City of Annapolis on
Lib. 46 Tuesday the twenty sixth day of May In the Year of Our Lord God
May 26 1741 and in the twenty seventh Year of the Dominion of the Right
p. 257 Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a his Excellency Samuel Ogle Esq^r being Governor Appeared in the Lower House of Assembly the following Members.

The Honourable Philip Hammond Esq^r Speaker

For Saint Marys County	{	M ^r John Read M ^r James Waughop
For Kent County	{	M ^r George Wilson M ^r James Calder
For Ann Arundel County	{	Doctor Charles Carroll M ^r Vachel Denton Captain Henry Hall
For Calvert County	{	M ^r Walter Smith M ^r James Weems M ^r John Brome
For Charles County	{	Col ^o Robert Hanson M ^r William Middleton M ^r John Courts M ^r Bayne Smallwood
For Somerset County	}	Captain John Gale
For Talbot County	}	M ^r Robert Lloyd
For Dorchester County	}	Col ^o Henry Hooper
For Cecil County	{	M ^r Joshua George Col ^o Thomas Colvill M ^r William Rumsey M ^r Benjamin Pearce
For Baltimore County	{	Captain Thomas Sheredine Captain Richard Gist
For Prince Georges County	{	Major Edward Sprigg M ^r Turnor Wootton M ^r John Magruder M ^r Osborn Sprigg

For the City of Annapolis	{ Daniel Dulany Esq ^r Captain Robert Gordon	L. H. J.
For Queen Anns County	{ M ^r Grundy Pemberton M ^r Robert Norrest Wright	

Col^o Hanson and Major Sprigg are desired to Acquaint his Excellency the Governor a sufficient number of Members to compose an House of Delegates are Convened in the Stadt House

Benjamin Tasker Esq^r from the Upper House acquaints M^r Speaker the Governor requires the Attendance of the Lower House in the Council Chamber immediately

M^r Speaker left the Chair and with the rest of the Members of the Lower House attended his Excellency who made the following Speech (See page 151)

M^r Speaker with the rest of the Members returned and re-assumed the Chair p. 258

The House Adjourns until to Morrow Morning at nine of the Clock

Wednesday Morning May 27. 1741

May 27

The House met according to Adjournment

All Members Present as Yesterday

The House proceeded to Appoint M^r Dulany, Doctor Carroll, M^r Denton, Col^o Hooper, M^r George Col^o Colvil, M^r Henry, M^r Stoughton, and M^r Calder a Committee of Laws

M^r Smith Col^o Hanson M^r Magruder M^r Hynson, M^r Wilson p. 259 and M^r Smallwood a Committee of Elections and Priviledges

M^r Smith Col^o Hanson Col^o Hooper M^r Wootton and M^r Henry Hall A Committee to enquire into the State and Condition of the Arms and Ammunition and Inspect the Accounts relating thereto.

Col^o Colvill Captain Caswell M^r Rumsey M^r Sheredine M^r Hynson and M^r Pemberton A Committee to inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly

M^r Stoughton, M^r Wilson Doctor Carroll M^r Joseph Hall M^r Goldsborough M^r Magruder, M^r Pemberton and M^r Osborn Sprigg A Committee of Aggrievances and Courts of Justice

Col^o King, Major Sprigg M^r Denton M^r Wootton and M^r Sheredine a Committee of Accounts.

Ordered that M^r Calder Doctor Carroll and Col^o Colvil prepare an Address to the Governor on his Speech.

M^r Denton Ordered to acquaint the Reverend M^r Lake he is desired by this House to Read divine Service Morning and Evening during this Session

L. H. J. M^r Roger Mathews a Representative of Baltimore County Captain Edward Wright A Representative for Queen Anns County and M^r John Brannock a Representative of Dorchester County being deceased since the last Session, Ordered that M^r Speaker issue his Warrant directed to the Secretary of this Province to make out new Writs of Election directed severally to the Sheriffs of Baltimore Queen Anns and Dorchester Counties to Elect a new Member to serve for each County in this Present Assembly in Place of the deceased

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

M^r William Harris a Representative of Kent County appeared in the House

M^r James Swann a Representative of Saint Marys County appeared in the House

M^r Thomas Wilkinson a Representative of Queen Anns County appeared in the House

M^r Denton acquaints M^r Speaker he informed the Reverend M^r Lake with the Request of this House

The House Adjourns until the Morrow Morning at nine of the Clock

May 28

Thursday Morning May 28. 1741

The House met according to Adjournment

All Members Present as Yesterday

M^r Nicholas Goldsborough and M^r William Thomas Representatives for Talbot County Captain Bartholomew Ennalls a Representative of Dorchester County and Col^o Robert King William Stoughton Esq^r and M^r Robert Jenkins Henry Representatives of Somerset County appeared in the House.

M^r Calder brought in an Address to his Excellency on his Speech which was Read Approved and Ordered to be Ingrossed

The House Adjourns until two of the Clock in the Afternoon.

Post Meridiem

The House met according to Adjournment

The following Address to his Excellency viz.

To his Excellency Samuel Ogle Esq^r Governor of the Province of Maryland

The humble Address of the House of Delegates of the same Province

May it please Your Excellency

L. H. J.

We Return you Thanks for calling Us together as Usual for the dispatch of Business and do Assure You We are met with a hearty Resolution to Promote the Publick Goal and to avoid all unnecessary disputes whatsoever p. 260

Your Excellencys kind declaration of desiring nothing more earnestly than the Happiness and Prosperity of the Province Your Readiness to Join Your Endeavours with Ours for that Purpose and to Oblige Us in every thing Consistent with the Duty of Your Station We receive with the utmost Gratitude and hope you will find us always Ready to make suitable Returns for every Obligation you shall be Pleased to Confer on us and never so unreasonable as either to expect or desire anything from Your Excellency inconsistent with that Duty.

As We flatter Ourselves Our former Deportment has by this time sufficiently convinced Our Sovereign and the Lord Proprietary of Our Steady Loyalty and Attachment to his Majesty's Person and Government Our Regard to the Safety of the Province and our own Preservation so the Subject of Arms and Ammunition for Defence of the Province and a proper Magazine for the Security of them so earnestly recommended by your Excellency shall have its proper share in our Deliberations

We are sensible of the Importance of the Trust reposed in Us and being resolved to Use Our utmost diligence and Care in the discharge of it, We shall gladly receive Your Excellencys' Sentiments by Message or otherwise in any thing proper for our Consideration and which may in any manner Contribute to the Welfare of the People We represent

A Wise and Prudent Amendment of Our Laws now in being as well as the Reviving those useful Ones which have of late unhappily ceased We believe would Greatly promote the Happiness of the People of this Province and as the being Instrumental to such Happiness as Your Excellency well Observes must give the Greatest Pleasure to a rational and Virtuous Mind We shall not doubt your Concurrence in both the one and the other

Was brought in Ingrossed which was Signed by Order and on Behalf of the House by the Honourable Speaker

Col^o King and M^r Smith Ordered to acquaint his Excellency this House hath prepared An Address to him and desires to know when and where he will please to receive it, They return and acquaint M^r Speaker the Governor will receive it in the Conference Chamber

M^r Smith with twelve more Ordered to present the Address

On Motion Leave Given to bring in the following Bills viz.

A Bill to revive An Act entituled An Act for the Advancement of Justice and the Supplementary Act thereto

L. H. J. A Bill to revive An Act entituled An Act for the Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of suits at Law and the Supplementary Act thereto

A Bill for reviving An Act entituled An Act for the speedy Recovery of small Debts out of Court before a Single Justice of the Peace

A Bill to revive An Act entituled A Supplementary Act to the Act for Emitting and making Current £90000 in Bills of Credit &c^a

A Bill for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise

A Bill for Limitation of Officers Fees.

The House Adjourns until the Morrow Morning at 9 of the Clock

May 29
p. 261

Friday Morning May 29. 1741

The House met according to Adjournment

All Members Present as Yesterday

On Motion that A Bill be brought in for the Support of Government Ordered that the Committee of Laws prepare and bring in a Bill accordingly

M^r George from the Committee of Laws brought in the following Bills

A Bill entituled An Act reviving An Act of Assembly of this Province entituled An Act for the Speedy Recovery of small debts out of Court before a Single Justice of the Peace

A Bill entituled An Act for reviving an Act of Assembly entituled An Act for the Advancement of Justice as also An Act of Assembly entituled A Supplementary Act to the Act for the Advancement of Justice

A Bill entituled An Act for Reviving An Act of Assembly entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for reviving and Continuing the supplementary Act thereto.

A Bill entituled An Act to Revive an Act of Assembly of this Province entituled A Supplementary Act to the Act entituled An Act for Emitting and making Current 90000^l Current Money of Maryland in Bills of Credit and to restrain some evil Practices of sheriffs under Colour of the said Act committed

A Bill entituled An Act to revive and Continue An Act of Assembly of this Province entituled An Act for the better Relief of Poor Debtors

Which Bills were severally Read the first time and Ordered to lie on the Table

M^r Speaker delivers to the house his Excellencys Answer to their Address viz.

Gentlemen of the Lower House of Assembly

L. H. J.

I return you hearty thanks for your kind Address and particularly for your Assurance that the Subject of Arms and Ammunition for defence of the Province and a proper Magazine for the security of them shall have a proper share in your deliberations and you may be Assured that I shall never recommend anything to you but what I take to be for the real Interest of the Province

Sam: Ogle

Mr George from the Committee of Laws brought in A Bill entitled An Act for the Continuance of Baltimore County Court Cecil County Court Queen Anns County Court and Dorchester County Court &c^a

Which Bill was Read the first time and Ordered to lie on the Table
The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

On Motion Leave Given to bring in a Supplementary and explanatory Bill to the Act for repairing the damages already Sustained in the Records of the Land Secretary's Commissarys and County Court Offices &c^a and that the same be prepared by the Committee of Laws

The Bill entituled An Act reviving An Act of Assembly entituled An Act for the Advancement of Justice &c^a

The Bill entituled An Act for reviving An Act of Assembly entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecutions of Suits at Law &c^a

And the Bill entituled An Act for the Continuance of Baltimore County Court &c^a

Severally Read the second time by an especial Order and will Pass

On Motion that A Bill may be brought in to prohibit the Exportation of Grain Ordered that the Committee of Laws prepare and bring in a Bill accordingly

The House Adjourns until the Morrow Morning at nine of the Clock

Saturday Morning May 30. 1741

May 30

The House met according to Adjournment

All Members Present as Yesterday

A Motion was made that A Bill be brought in to Quiet Possessions and secure the Estates of Purchasers Ordered that the Committee of Laws prepare and bring in a Bill accordingly

The Agents appointed to Execute and Perform the several Matters and things Contained and mentioned in the Act for raising and issuing Money for maintaining his Majestys Forces to be raised in this Province and for Transporting them to the Place of Rendezvous

L. H. J. bring in the Accounts of all Monies by them received and Vouchers for the Application and disposition thereof, which Accounts are referred to the Committee of Accounts for their Inspection and Ordered that M^r Robert Lloyd be added to that Committee on this Occasion in the Room of Col^o King he having been one of the Agents.

It being moved that an Entry be made on the Journal in Approbation of the Conduct of Ferdinando John Paris Esq^r Agent employed for the Service of this Province which Entry being drawn up in Writing the Question was put that an Amendment be made thereto Resolved in the Negative

For the Negative

M ^r Read	M ^r Courts	M ^r Gist
Waughop	Smallwood	Edward Sprigg
Wilson	Goldsborough	Wootton
Carroll	Robert Lloyd	Magruder
Henry Hall	Thomas	Osborn Sprigg
Weems	Ennalls	Pemberton
Brome	Pearce	Wilkinson
Middleton	Sheredine	

For the Affirmative

M ^r Calder	M ^r King	M ^r Rumsey
Harris	Hooper	Gordon
Smith	George	Wright
Hanson	Colvil	

Ordered that the following Entry be made, viz.

M^r Speaker having communicated to the House that pursuant to an Order of the last Session of July 1740 he had transmitted the Congratulatory Address of this House to the Kings most Excellent Majesty to Ferdinando John Paris Esq^r the Agent employed for the Service of the Country and who by his Letter dated London 5th January last had acquainted him that he had by means of Lord Harrington one of his Majesty's Principal Secretarys of State presented the said Address (in the manner constantly Practiced in such Cases) to his Majesty who was pleased to receive the same very graciously, as appears by the London Gazette N^o 7976 Wherein the same is incerted as follows viz.

Whitehall January 2^d

The following Address of the Freemen of the Delegates of the Province of Maryland having been transmitted hither has been presented to his Majesty by Ferdinando John Paris Esq^r their Agent, which Address his Majesty was pleased to Receive very Graciously (See page 124)

And that the said Paris in the same Letter had acquainted him L. H. J. likewise, that as it had been talked of at Court that there were but two hundred men or thereabouts sent out of this Province to the West Indies for his Majesty's Service he had shewn how this House acted in raising Money for Bounties, Maintenance and Transportation of five hundred men as appeared by the Acts of Assembly in his hands, and that if the whole Number was not raised and Transported it was not due to any Fault in this House and hoped his Conduct therein would be acceptable to the House

The House therefore taking the same into Consideration Approve of the Conduct of the said Ferdinando John Paris Esq^r in Presenting the said Address and likewise in representing their Zeal for his Majestys Service and ready Compliance with his Intentions and Royal Instructions by Providing Bounties Victuals Transports and other necessaries for five hundred Men to be raised in this Province until their Arrival at the Place of General Rendezvous in the West Indies.

The Bill entituled An Act for the Advancement of Justice &c^a was sent to the Upper House by M^r Smith and M^r Robert Lloyd

The Bill entituled An Act Reviving An Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law &c^a sent to the Upper House by M^r Smith and M^r Robert Lloyd

The Bill entituled An Act for the Continuance of Baltimore County Court &c^a sent to the Upper House by Mess^{rs} George and Rumsey

The Bill entituled An Act to Revive and Continue an Act of Assembly of this Province entituled An Act for the better Relief of Poor Debtors Read the second time and will Pass sent to the Upper House by Major Sprigg and Captain Sheredine

The Bill entituled An Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise was brought in Read the first time and Ordered to lie on the Table.

The House Adjourns until Monday Morning at 9 of the Clock

Monday Morning June 1. 1741

June 1

The House met according to Adjournment

All Members Present as on Saturday

M^r Weems and M^r Gale added to the Committee to Inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly in the Room of M^r Hynson and Captain Caswell Absent Members p. 264

The following Message being prepared Viz. (See page 163)

Was sent to the Upper House by M^r Rumsey and M^r Weems

L. H. J. Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the following Message (See page 163)

A Bill entituled An Act for Limitation of Officers Fees Read the first time and Ordered to lie on the Table

The House Adjourns to two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Col^o Edward Lloyd appeared in the House

The Bill entituled An Act for reviving An Act of Assembly of this Province entituled An Act for the speedy Recovery of small debts Out of Court before a single Justice of the Peace Read the second time and will Pass sent to the Upper House by Major Sprigg and M^r Hall

The Bill entituled An Act to revive An Act of Assembly of this Province entituled A Supplementary Act to the Act entituled An Act for Emitting and making Current Ninety thousand Pounds Current Money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act Committed; Read the second time and will Pass sent to the Upper House by Col^o King and M^r Harris

The Bill entituled An Act for the Trial of all Matters of Fact in the Several Counties where they have arisen or shall arise Read the second time and will Pass, sent to the Upper House by Col^o King and M^r Harris

James Harris Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Continuance of Baltimore County Court &c^a Indorsed (See page 164)

Which Bill was here Read and Passed for Ingrossing

The House Adjourns until to Morrow Morning at nine of the Clock

June 2

Tuesday Morning June 2. 1741

The House met according to Adjournment

All Members Present as Yesterday

Ordered that the Serjeant at Arms be forthwith sent for M^r Charles Hynson, M^r Thomas Aisquith and M^r Henry Trippe

p. 265 On Motion that a Bill be brought in to raise a Sum to be appropriated for purchasing Arms and Ammunition for the Defence of the Province Ordered that the Committee of Laws prepare and Bring in a Bill accordingly

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the following Petitions viz.

A Petition of the Visitors of Kent County School A Petition of John Lang Rector of St James's Parish in Ann Arundel County

A Petition of the Vestry and sundry Inhabitants of Queen Anne L. H. J. Parish in Prince Georges County And A Petition of John Blandford of Prince Georges County which Petitions were severally Indorsed Referred to the Consideration of the Lower House and being here Read were severally Granted that Leave be Given to bring in Bills according to Prayer.

A Petition of the Rector Vestry men Church Wardens and other Inhabitants of All Faith Parish in Saint Marys and Charles Counties and a Petition of James Claypool of Chester Town Indorsed By the Upper House Referred to the Consideration of the Lower House Which were here severally Read and Rejected

And A Petition of many the Inhabitants and Free holders of Baltimore County Praying Leave to bring in a Bill to add twenty Lots to the Town called Jones Town Indorsed by the Upper House Referred to the Consideration of the Lower House which being here Read was Referred to the Consideration of the Lower House and Ordered that due notice be given to the Proprietor or Proprietors of the said Land

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Mess^{rs} Edward and Robert Lloyd have Leave of the House to go Home

Col^o Hammond from the Upper House delivers M^r Speaker the following Petitions viz.

A Petition of Thomas Harris of Queen Anns County Administrator of Edward Harris Deceased A Petition of Nicholas Hammond A Petition of Henry Templeman a Petition of Edward Cooley and a Petition of Peter Topping languishing Prisoners in Ann Arundel County Goal, A Petition of Stephen Lillie in Ann Arundel County Goal And a Petition of Benjamin Howard of Ann Arundel County Severally Indorsed By the Upper House of Assembly Referred to the Consideration of the Lower House

The Petition of Stephen Lillie Read and Rejected

The Petition of Thomas Harris Read and Rejected forasmuch as the Petitioner hath already sufficient Provision made for him by an Act of Assembly entituled An Act for the more effectual Punishment of certain Offendors and for taking from them the Benefit of Clergy

On Motion to bring in a Bill to enlarge the Jurisdiction of the County Courts Leave Given

The House Adjourns until the Morrow Morning at nine of the Clock

L. H. J.
June 3

Wednesday Morning June 3. 1741

The House met according to Adjournment

All Members Present as Yesterday

On Motion to bring in a Bill to regulate the manner of Tendring Tobacco Leave is Given and Ordered that the Committee of Laws prepare and bring in a Bill accordingly

On Motion to bring in a Supplementary Bill to the Act for raising and issuing money for maintaining his Majestys Forces &c^a Leave is Given

On Motion to bring in a Bill for issuing Replevins out of the County Courts;

Ordered that the Committee of Laws prepare and Bring in a Bill accordingly

p. 266 M^r George from the Committee of Laws brings in a Bill entitled An Act for enlarging the Jurisdiction of the County Courts within this Province which was Read the first time and Ordered to lie on the Table.

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Col^o Charles Hynson appeared in the House

M^r Magruder delivered M^r Speaker the following Report viz. By the Committee of Aggrievances and Courts of Justice June 3. 1741

Whereas it appears to Your Committee that M^r William Murdock late Sheriff of Prince Georges County without any Law known to Your Committee in the Year 1739 Charg'd the said County in the following words viz.

Prince Georges County		D ^r	
Nov. 1739	To Cepi v Michael Taylor at Suit Lordship	# 35	—..3..6
	To Imprisonment Fees from 30 January 1738 to November 30 th 1739	5570	

And further in the year 1740 Charged the said County as follows viz.

Prince Georges County		D ^r
To Commitment and Releasement Michael Taylor	40	
To Imprisonment Fees ditto from 30 Nov ^r 1739 to 28. Aug. 1740	2700	

And that likewise M^r John Hepburn present Sheriff of said County charged the same County as follows viz.

1740	Prince Georges County	D ^r	L. H. J.
Nov. 25	To Imprisonment Fees for Michael Taylor	900	
	To Releasement for ditto	20	

Which said several Sums were allowed by the Justices of the said County in the Levies of the same County as appears by a Certificate under the Seal of the Office of the Clerk of the said County hereunto annex

Your Committee humbly Conceive that the aforesaid Charges being Allowed Taxed and Levied on and from the People is a very great Aggrievance but humbly submitted to the Consideration of your Honourable House

Signed p Order W Cumming Cl Com.

Prince Georges } I Hereby Certify that William Murdock Gent late
County Js^l } Sheriff of the County aforesaid in the Year 1739
Charged Prince Georges County with the following Fees viz.

	Prince Georges County	D ^r	
Nov. 1739	To Cepi v Michael Taylor at suit Lordship	35.	—..3..6
	To Imprisonment Fees from 30 January 1738 to 30 th November 1739	5570	

And I further Certify that the said William Murdoch Charged the County with the following Fees in the Year 1740

	Prince Georges County	D ^r
To Committment and Releasement Michael Taylor	40	
To Imprisonment Fees ditto from 30 Nov ^r 1739 to 28 Aug st 1740	2700	

And I likewise Certify that John Hepburn Gent Sheriff of the County aforesaid charged the said county with the following Fees viz.

1740	Prince Georges County	D ^r
Nov ^r 25.	To Imprisonment Fees for Michael Taylor 90 days	900
	To Releasement for ditto	20

And I likewise Certify that the Above Fees were allowed by the Justices of Prince Georges County to the Above named Murdoch and Hepburn

In Testimony Whereof I have hereunto Affixed the Public Seal of the County aforesaid this 2^d day of June Anno p. 267
Domini 1741 Thomas Lee Cl Coun.

L. H. J. On Reading the Report from the Committee of Aggrievances the Question was put that the House Concur therewith:

Resolved in the Affirmative

For the Affirmative

M ^r Read	M ^r Brome	M ^r Sheredine
Waughop	Middleton	Gist
Swann	Courts	Edward Sprigg
Wilson	Smallwood	Wootton
Carroll	Stoughton	Magruder
Denton	Goldsborough	Pemberton
Henry Hall	Thomas	Wilkinson
Smith	Ennalls	
Weems	Pearce	

For the Negative

M ^r Hynson	M ^r Gale	M ^r Dulany
Harris	Hooper	Gordon
Hanson	George	Wright
King	Colvill	
Henry	Rumsey	

James Holliday Esq^r from the Upper House delivers M^r Speaker the following Petitions viz.

The Petition of Hannah Ratcliffe of Queen Anns County Executrix of William Ratcliffe deceased The Petition of Thomas Spalding and Catharine his Wife of Saint Marys County the Petition of Joseph Macclester, languishing Prisoner in Somerset County; and the Petition of Ann Rind languishing Prisoner in Ann Arundel County Goal Indorsed severally Referred to the Consideration of the Lower House of Assembly

The Petitions of Joseph Macclester and Ann Rind severally Read here and Granted

The House Adjourns until the Morrow Morning at nine of the Clock

June 4

Thursday Morning June 4. 1741

The House met according to Adjournment

All Members Present as Yesterday except Col^o Edward Lloyd and M^r Robert Lloyd.

Major Henry Trippe A Member elected to Represent Dorchester County appeared in the House

Col^o Hooper and Captain Ennalls sent to the Upper House to see him Qualified they return and acquaint M^r Speaker they saw him Qualified by taking the several Oaths to the Government required

by Law, by Repeating the Test and by Signing the Oath of Abjuration and the Test L. H. J.

The Petition of Hannah Ratcliffe of Queen Anns County Executrix of William Ratcliffe deceased was Read and Granted

The Petition of Thomas Spalding and Catherine his Wife was Read and thereupon Col^o Hooper M^r Rumsey and Captain Gist are appointed A Committee to enquire into the Allegations therein contained and to make their Report to the House

M^r Wootton brings in a Bill entituled An Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of Queen Anne Parish in the said County the sum of 100£ Current Money of Maryland for the Uses therein mentioned Read the first time and Ordered to lie on the Table

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

On Motion to bring in a Bill to lay out and apply a Sum not exceeding Pounds Current Money for the Repairs necessary to be made to the Council House the Stadt House and the Parade in Annapolis Leave given and Ordered that the Committee of Laws prepare and bring in the Bill Accordingly

The House Adjourns until to Morrow Morning at 9 of the Clock

Friday Morning June 5. 1741

June 5
p. 268

The House met according to Adjournment &c^a

M^r Calder one of the Members directed by the House to procure Copies of Records and to transmit the same to Great Britain delivers M^r Speaker the following Report

To the Honourable the House of Delegates of the Province of Maryland.

We the Subscribers being by Order of Your Honourable House directed to procure Copies of Records and to Transmit the same to Great Britain to the Agent there appointed for the Service of the Country do hereby humbly Represent that on the fifteenth day of November last Past (as soon as the same Copies could be compleat had) We transmitted the following several Copies and Papers to Ferdinando John Paris Esq^r the Agent there, by Captain William Anderson in the Ship Creighton being the first good and safe Opportunity that offered

Turner Wootton
John Magruder
Osborn Sprigg

James Calder
C Carroll
V Denton

Henry Hall
Edward Sprigg

L. H. J.

Paper Marked C

An Act for the Raising and Providing a Support for his Lordship the Lord Proprietary of this Province during his natural Life and likewise A supply towards the defraying the Publick Charges of Government

An Act of Gratitude to his Excellency Charles Calvert Esq^r Captain General of Maryland

An Act for the Continuing the Payment of the Imposition of two Shillings per hogshead during the Life of the Honourable Cecilius Calvert Esq^r Son and Heir of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a in case he Survive his Lordship

An Act for Settlement of an Annual Revenue upon their Majestys Governor within this Province for the time being

An Act ascertaining the Laws of this Province

An Act for Repealing certain Laws of this Province and confirming others

An Act for Reviving some Temporary Laws of this Province

An Act for Settlement of an Annual Revenue upon her Majestys Governor within this Province for the time being.

An Act ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cutting cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight and for laying Impositions on Tobacco per the hhd for the Support of Government and for the encouraging Settlements in this Province by ascertaining the manner of Paying the Alienation Fines and Quit Rents to the Lord Proprietary of this Province on the Conditions therein mentioned

An Act ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cutting cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight and for laying Impositions on Tobacco per the Hogshead for the support of Government and for the encouraging Settlements within this Province by ascertaining the manner of Paying his Lordships Alienation Fines and Quit Rents for the term therein proposed and for taking of three Pence per hogshead formerly raised for the Publick Charge

p. 269 An Act Ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cropping cutting and defacing Tobacco taken on Board Ships or Vessels upon Freight and for laying Impositions on Tobacco per the hogshead for the Support of Government and for the encouraging Settlements in this Province by ascertaining the manner of Paying his Lordships Alienation Fines and Quit Rents for the term therein proposed and for taking of the three Pence p hogshead formerly raised for the Publick Charge

An Act reviving and continuing the Act entituled An Act for ascertaining the Gauge and Tare of Tobacco hogsheads &c^a from

the twenty ninth day of September next until the twenty ninth day L. H. J. of September which shall be in the Year of Our Lord 1721

An Act reviving and continuing the Act ascertaining the Gauge and Tare of Tobacco hogsheads &c^a

An Act reviving and Continuing the Act for ascertaining the Gauge & Tare of Tobacco hogsheads &c^a

An Act reviving and Continuing An Act entituled An Act ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cropping cutting and defacing Tobacco taken on Board ships or Vessels upon Freight and for laying Impositions on Tobacco per the hogshead for the Support of Government and for the encouraging Settlements within this Province by ascertaining the manner of Paying his Lordships Quit Rents and Alienation Fines on the terms therein proposed and for taking of the three Pence p hh^d formerly Raised for the Publick Charge

An Act for Improving the Staple of Tobacco and for Continuing Part of An Act ascertaining the Gauge and Tare of Tobacco hogshead and to prevent cropping cutting and defacing Tobacco taken on Board Ships or Vessels upon Freight and for laying Impositions on Tobacco per the hogshead for the support of Government and for the encouraging Settlements in this Province by ascertaining the manner of Paying his Lordships Alienation Fines and Quit Rents for the term therein proposed and for taking of the three Pence per Hogshead formerly raised for the Publick Charge

An Act for laying an Imposition on Tobacco by the Hogshead for the Support of Government and for Paying his Lordships Quit Rents and Alienation Fines for the time therein mentioned

An Act ascertaining the Gauge and Tare of Tobacco hogsheads The first second and third Clauses of the Lords Baltimore and Guilford's Orders Instructions Powers and Authorities to be Observed by Thomas Beake and Charles Lowe Secretaries of the Province of Maryland &c^a dated 16 November 1717

The first second third fifth and Eighth Clauses of Charles Lord Baltimore Instructions Power and Authority to be Observed by Charles Carroll Agent &c^a dated the 12th September 1712

Paper Marked A

Copy his Lordships Conditions of Plantations in 1636 his Lordships Letter and Instruction to Leonard Calvert Esq^r about the Lawn and Fields of Saint Marys his Lordships Commission annexed to the Conditions of Plantation in 1648 His Lordships Conditions of Plantation 1648. His Lordships Commission annexed to Conditions of Plantation in 1649 Conditions of Plantation in 1649. His Lordships Declaration in 1658 An Order of Assembly in 1650 Providing for the Re-edyfing of the Fort of Saint Inego's and his Lordships Instructions and Order to Edmund Jenings Esq^r

L. H. J.

Paper Marked B

An Act for Fees Prior to the Year 1638. An Act for Port Duties and Masters of Ships

An Act for Limitation of Officers Fees. An Act repealing all former Acts heretofore made saving what are hereby excepted An Act for repairing the damages already sustained in the Records of the Land Secretary's Commissarys and County Court Offices and for the security of the same Records for the future, An Act for Limitation of Officers Fees.

p. 270 A Commission to Edmund Jenings Esq^r as Secretary, A Commission from Edmund Jenings Esq^r to William Ghiselin as Clerk of the Provincial Court, Edmund Jenings Esq^r his Bond past by Virtue of the said Act for repairing the damages already sustained in the Records &c^a A Commission from the Right Honourable the Lord Proprietary to Samuel Ogle Esq^r as Governor

Paper Marked C

A State of the Case of the People of Maryland and Trade of that Province with regard to An Act of Assembly made in 1661 and now Repealed, An Act for Port Duties and Masters of Ships.

Paper Marked D

A State of the Case Concerning the 12^d p hogshead

Paper Marked 5

A State of a Case and Opinion

Paper Marked E

Message relating to 3^d p hhd for Arms &c^a being part of the 12^d raised by the Act 1704 &c^a

Form of a Writ. Form Recognisance

Paper Marked G

A Provincial Commission the Commissions of Assize, Nisi Prius Oyer and Terminer and Goal delivery, the Oath of a Provincial Justice, and an Indictment, and the Dedimus Potestatem

A Copy of the Journal of the Lower House of Assembly in May Convention 1739

A Copy of the Journal of the Lower House of Assembly in April Session 1740, and the Extracts from the Journals in 1707, 1715 and 1716.

N^o 1. Address to the Kings most Excellent Majesty, Body of the Acts of Assembly

N^o 7. Notes and Proceedings of the Lower House of Assembly of the Province of Maryland in 1732

N^o 8. Laws of Maryland Enacted At A Session in March 1732

N^o 2 A General State

Paper Marked Q

L. H. J.

Extract from the Journal of the Lower House in April Session 1737 relating to the receiving Gold per the Lord Proprietarys Agents &c^a

On Motion of a Member that the Entry on the Journal relating to this House's Approbation of Ferdinando John Paris Esq^r his Conduct in presenting the congratulatory Address of this House to his most Excellent Majesty be Printed. Ordered that M^r Jonas Green Printer do immediately Print 250 Copies

M^r Denton from the Committee of Laws, brought in a Bill entitled An Act for laying out and applying a Sum not exceeding £ to the uses therein mentioned A Bill entitled An Act for the Relief of John Blandford and Hannah Ratcliffe

And the Bill entitled An Act for raising per hogshead on all Tobacco to be exported for purchasing Arms and Ammunition for the defence of this Province Which Bills were severally Read the first time and Ordered to lie on the Table

On Motion to bring in a Bill to repair Calvert County Court House Leave is Given

James Harris Esq^r from the Upper House delivers M^r Speaker the following Petitions

The Petition of Patrick MacVey a languishing Prisoner in Cecil County Goal, and a Petition of William Bafoot a languishing Prisoner in Ann Arundel County Goal Which Petitions were severally Indorsed By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House: Which Petitions were here Read and Granted

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment.

M^r Smith Brings in a Bill entitled An Act empowering the Justices of Calvert County and others to repair the Court House of that County by an Assessment on the Inhabitants thereof which was Read the first time and Ordered to lie on the Table p. 271

A Bill entitled An Act to cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to Convey the same in Fee in Exchange for other Lands Read the first time and Ordered to lie on the Table

The Bill entitled An Act for the Limitation of Officers Fees was Read the second time and will Pass which Bill was sent to the Upper House by William Stoughton Esq^r & M^r Read

L. H. J. The Bill entituled An Act for issuing Writs of Replevin out of the County Courts of this Province was Read the second time and will Pass which Bill was sent to the Upper House by Col^o Colvil and M^r Gale.

The Bill entituled An Act for enlarging the Jurisdiction of the County Courts within this Province was Read the second time and will Pass which Bill was sent to the Upper House by M^r Wootton and M^r Wright

The Bill entituled An Act to enable the Visitors of the Free School of Kent County for the time being to lease One Moiety of the Land belonging to the same School was Read the second time and will Pass which Bill was sent to the Upper House by M^r Calder & Major Trippe

The Bill entituled An Act empowering the Justices of Prince Georges County to Levy on the Taxable Inhabitants of Queen Ann Parish in the said County the Sum of £100 Current Money of Maryland for the Use therein mentioned Read the second time and will Pass

Ordered that the Committee of Accounts receive no Accounts of Publick Claims after Tuesday next.

Ordered that the Committee of Accounts receive no Accounts of Charges to the Publick that have been heretofore refused by the House

It being moved that a greater Allowance in the Journal of Accounts be made for the Rent of the Governors House than usual; A Question was put thereupon and Resolved in the Negative.

The House Adjourns to the Morrow Morning at 9 of the Clock

June 6

Saturday Morning June 6. 1741

The House met according to Adjournment &c^a

The Bill entituled An Act empowering the Justices of Prince Georges County &c^a sent to the Upper House by M^r Wootton and M^r Pearce

An Ingrossed Bill entituled An Act for the Continuance of Baltimore County Court Cecil County Court Kent County Court Queen Anns County Court and Dorchester County Court from the first second third and fourth Tuesdays in June next to the first second third and fourth Tuesdays in August next Read and Assented to

George Plater Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act to enable the Visitors of the Free School Of Kent County for the time being to Lease One Moiety of the Land belonging to the same School Indorsed (See page 169)

p. 272 A Bill entituled An Act to prevent the exportation of Indian Corn in Case of a Scarcity, was brought in from the Committee of Laws, had the first Reading and Ordered to lie on the Table

The Bill entituled An Act for the Relief of John Blandford and L. H. J. Hannah Ratcliffe was Read the second time and will Pass sent to the Upper House by Major Sprigg and M^r Swann

The Bill entituled An Act to cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to Convey the same in Fee in Exchange for other Lands was Read the second time and will Pass sent to the Upper House by M^r Magruder and Captain Sheredine

Col^o Hanson from the Committee of Elections and Priviledges delivers M^r Speaker the following Report

By the Committee of Elections and Priviledges June 6. 1741
Your Committee having examined the Writ directed to the Sheriff of Dorchester County and Inspected the Indenture of M^r Henry Trippe A Member returned to serve in the General Assembly do find the said Henry Trippe duly elected

Which Your Committee humbly submit to the Consideration of the House

Signed p Order Tho^s Jennings Ct Com.

With which the House Concurs

Col^o Hooper delivers M^r Speaker the following Report

By the Committee Appointed by the Honourable the Lower House of Assembly to enquire into the several Facts contained in the Petition of Archibald Douglas of Cecil County

Your Committee find on Inspecting the Paper of the said Petitioner that the said Petitioner Archibald Douglas hath an Estate in Fee Tail to one Moiety of the Land lying in Baltimore County called Scutts Levell

Your Committee find that that part of the Land called Vulcans Rest mentioned in the said Petition lying in Cecil County is of greater Value than the said One Moiety of the Land called Scutts Level and the Land called Morning Choice and Morning Choice Addition

Your Committee also find the Assent of Sarah Owins that an Act should Pass for cutting of the Entail of the said One Moiety of the Land called Scutts Level and that an Estate in Fee should be given therein to the said Archibald Douglas

All which is humbly Submitted to the Consideration of the House

Signed p Order R^d Dorsey Ct Com.

Which was Read and Leave Given to the Petitioner to bring in a Bill according to Prayer

Col^o Hooper delivers M^r Speaker the following Report.

By the Committee appointed to enquire into the Facts contained in the Petition of Thomas Spalding and Catherine his Wife June the 6. 1741

Your Committee find on Inspecting the Papers of the Petitioners that the Land called Crackbornes Purchase containing 200 Acres was Granted on the 24th day of October Anno Domini 1659 unto

L. H. J. Richard Crackborne Assignee of Walter Peak and Peter Mills Assignees of Paul Simpson in Fee.

Your Committee further find that the said Richard Crackborne by his Deed bearing date the 17th day of November 1681 did Bargain and Sell the said Tract of Land to Richard Gardiner of Saint Marys County in Fee

Your Committee also find that Richard Gardiner and Elizabeth his Wife of St Marys County aforesaid did Convey to Hugh Benson of the same County Planter 100 Acres Part of the said Tract in Fee

p. 273 Your Committee likewise find that Mary Speake is the reputed Daughter and Heiress at Law of Hugh Benson and that she intermarried (as it is said) with Bowling Speak of Charles County and that the said Bowling Speak and the said Mary his Wife, by their deed Bearing date the 31st of March 1739 did Convey the said Parcell of Land unto the Petitioner Thomas in Fee All which deeds appear to Your Committee to be duly Executed

Your Committee further find by the Information of M^r James Swann a Member of your House that the Land called Crackbornes Purchase mentioned by the Petitioners to be Granted is of greater Value than that Part of the Land the Petitioners pray to be enabled to dispose of called Seamour Town or known by the name of Leonards Town

All which is humbly Submitted to the Consideration of the House
Signed p Order Richard Dorsey Cl Com.

Which was Read and Leave given to the Petitioners to bring in a Bill according to Prayer

The Bill entituled An Act empowering the Justices of Calvert County and others to repair the Court House of that County by an Assessment on the Inhabitants thereof was Read the second time and will Pass.

The Bill entituled An Act for laying out and applying A sum not exceeding 250£ Current Money, to the uses therein mentioned was Read the second time and will Pass

Which Bills were sent to the Upper House by Col^o Hanson and M^r Goldsborough

M^r Magruder from the Committee of Aggrievances &c^a delivers M^r Speaker the following Report

By the Committee of Aggrievances and Courts of Justice June 6. 1741

Whereas Complaint hath been made to Your Committee that the Justices of Prince Georges County in the Year 1740 Levied and Caused to be raised from the Inhabitants of the said County the Quantity of 3150 Pounds of Tobacco for the Use of Jonas Green Printer altho' by the Act of Assembly entituled An Act for the speedy and effectual Publication of the Laws of this Province and for the encouragement of Jonas Green of the City of Annapolis Printer

the Justices of the several and respective County Courts of the said L. H. J. Province are Impowred to make an Allowance of Fifteen Pounds Current Money Yearly to the said Green, during the time Limited with the Sheriffs Salary.

And further that the said Justices Levied and Caused to be raised from the said Inhabitants of the said County the Quantity of 6000 Pounds of Tobacco for a Bounty on Linnen Whereas by the Act entituled An Act for the Benefit of the Poor and Encouragement of Industry, the respective County Justices are Impowred and directed to Levy on the Taxable Inhabitants of each respective County the Sum of thirty Pounds Current Money respectively with the Sheriffs Salary every Year during the Continuance of the said Act

Your Committee Conceive that the Levying Tobacco as afore-said is contrary to the express direction of the Act of Assembly, and the more so as the Value of the said Quantities of Tobacco rated in Current Money far exceed the Sums by the said Act to be Levied, and is a very great Aggrievance: But humbly submitted to the Consideration of Your Honourable House

Signed p Order William Cumming Cl Com

Which Report was Read and Referred for Consideration on Monday Morning

The House Adjourns until Monday Morning at nine of the Clock

Monday Morning June 8. 1741

June 8

The House met according to Adjournment

M^r Thomas Aisquith Col^o Lloyd and M^r Robert Lloyd appeared in the House

A Bill entituled An Act empowering the Reverend John Lang Rector of Saint James's Parish and his Successors to Lease Lands was Read the first time and Ordered to lie on the Table

Doctor Carroll from the Committee of Laws, delivers M^r Speaker A Bill entituled A Supplementary Act to the Act entituled An Act for repairing the damages already sustained in the Records of the Land Secretary's Commissarys and County Court Offices and for Security of the same Records for the future Read the first time and Ordered to lie on the Table Philip Lee Esq^r from Upper House delivers M^r Speaker the Bill entituled An Act for laying out and applying A Sum exceeding £250 Current Money to the Uses therein mentioned Indorsed (See page 170) p. 274

Which Bill was here Read and Passed for Ingrossing

The several Petitions of languishing Prisoners are now Read and Granted

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act to cut of the Entail of a Parcel of Land called Ropers Neck &c^a Indorsed (See page 170)

L. H. J. Which Bill was here Read with the Amendments and Passed for Ingrossing

A Bill entituled An Act for cutting of the Entail and investing an Estate of Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catharine his Wife and to entail other Lands lying in St. Marys County in Lieu thereof was brought in, Read the first time and Ordered to lie on the Table

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

Col^o Gale from the Upper House delivers M^r Speaker the Bill entituled An Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of Queen Ann Parish in the said County the Sum of 100£ Current Money to the Uses therein mentioned Indorsed (See pages 169 and 171)

Which Bill was here Read and Passed for Ingrossing

On Reading the Bill entituled An Act to Prohibit the Exportation of Indian Corn &c^a the Question was put that no Indian Corn be exported out of this Province from and After the 15th day of June Instant until the 10th day of November next inclusive Resolved in the Affirmative.

For the Affirmative

M ^r Read	M ^r Brome	M ^r Sheredine
Waughop	Hanson	Edward Sprigg
Swann	Middleton	Magruder
Aisquith	Courts	Osborn Sprigg
Harris	Smallwood	Gordon
Carroll	Stoughton	Wilkinson
Smith	Thomas	
Weems	Ennalls	

For the Negative

M ^r Wilson	M ^r Goldsborough	M ^r Rumsey
Calder	Edward Lloyd	Pearce
Denton	Robert Lloyd	Wootton
Henry Hall	Hooper	Dulany
King	Trippe	Pemberton
Henry	George	Wright
Gale	Colvil	

Which Bill was committed to the Committee of Laws for Amendment

The House Adjourns to the Morrow Morning at nine of the Clock

Tuesday Morning June 9. 1741

L. H. J.
June 9
p. 275

The House met according to Adjournment &c^a

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled An Act for enlarging the Jurisdiction of the County Courts within this Province Indorsed (See page 171)

James Holliday Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Relief of John Blandford and Hannah Ratcliffe Indorsed (See page 171)

Which Bill was here Read and Passed for Ingrossing

On Reading the Report from the Committee of Aggrievances brought in on Saturday last relating to the Justices of Prince Georges County levying on the Inhabitants of that County Tobacco instead of Money contrary to express directions of Acts of Assembly the same is unanimously Concurred with and resolved to be a Great Grievance And a Question was thereupon put that the Magistrates of Prince Georges County be sent for Resolved in the Affirmative

For the Affirmative

M ^r Swann	M ^r Smallwood	M ^r Gist
Wilson	Stoughton	Edward Sprigg
Carroll	Goldsborough	Wootton
Denton	Edward Lloyd	Magruder
Henry Hall	Robert Lloyd	Osborn Sprigg
Smith	Ennalls	Pemberton
Weems	Colvill	Wilkinson
Courts	Sheredine	

For the Negative

M ^r Read	M ^r Middleton	M ^r George
Waughop	King	Rumsey
Aisquith	Henry	Pearce
Calder	Gale	Dulany
Harris	Thomas	Gordon
Hynson	Hooper	Wright
Hanson	Trippe	

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met again according to Adjournment

Col^o Lloyd hath leave to go Home

Ordered that the Clerk of the House issue Summons's for Mess^{rs} Peter Dent, Nathaniel Wickham Junior Richard Keene Thomas Owen Thomas Cresap, Henry Truman, John Hawkins Junior, and Joseph Chapline Justices of Prince Georges County respectively to appear at the Bar of this House on Wednesday the 17th of this Instant which Summons be directed to the Serjeant at Arms attending this House that they be duly served

L. H. J. An Ingrossed Bill entituled An Act to enable the Visitors of the Free School of Kent County for the time being to lease One Moiety of the Land except ten Acres belonging to the same School Read and Assented to

Col^o Gale Col^o Harris, Col^o Hammond Col^o Colvil and Col^o Hanson Agents appointed by the Act for issuing and Paying out of the Office of the Commissioners &c^a lay their Receipts and Vouchers for Money paid in Pursuance of that Act before the House, which are referred to the Committee appointed to inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit &c^a who are Ordered to make Report to the House thereon

The Bill entituled An Act to prevent the Exportation of Indian Corn &c^a was brought in and read with the Amendments which Amendments not Agreeing with the Title and Preamble Ordered that the said Bill be Re-committed, and the Title and Preamble altered to Agree with the Amendments made

The House Adjourns to the Morrow Morning at nine of the Clock

June 10

Wednesday Morning June 10. 1741

The House met according to Adjournment &c^a

All Present as Yesterday except Col^o Lloyd and M^r Denton

An Ingrossed Bill entituled An Act for laying out and applying A Sum not exceeding 250 Pounds Current Money to the Uses therein mentioned was Read and Assented to

p. 276 An Ingrossed Bill entituled An Act to cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to Convey the same in Fee in Exchange for other Lands; was Read and Assented to

A Bill entituled An Act investing Archibald Douglas of Cecil County Son and Heir of William and Mary Douglas deceased with an Estate in Fee Simple in the One Moiety of a Tract of Land called the Level or Scutts Level lying in Baltimore County was brought in Read the first time and Ordered to lie on the Table

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act empowering the Justices of Calvert County and others to Repair the Court House of that County &c^a Indorsed (See page 171)

And A Petition of the Rector Vestrymen Church Wardens and others the Inhabitants of the Parish of Saint Paul in Baltimore County Indorsed (See page 171)

James Harris Esq^r from the Upper House delivers M^r Speaker the Bill for issuing Writs of Replevin out of the County Courts of this Province Indorsed (See page 171)

The Bill entituled An Act empowering the Reverend John Lang Rector of S^t James's Parish and his Successors to Lease Lands was Read the second time and will not Pass

The Bill entituled An Act impowering the Justices of Calvert L. H. J. County to repair the Court House &c^a was Read and Passed for Ingrossing

The Petition of the Rector of Saint Pauls Parish in Baltimore County; Read and Referred to the Consideration of the next Assembly

The Bill entituled A Supplementary Act to the Act entituled An Act for repairing the damages already sustained in the Records of the Land Secretarys Commissarys and County Court Offices &c^a Read the second time and will Pass

The Bill entituled An Act for the cutting of the Entail and investing an Estate of Inheritance in Fee Simple in Part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife Read the second time and will Pass

The Bill entituled An Act to prevent the Exportation of Indian Corn for the time therein limited was Read the second time and on the Question put will Pass

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

The Bill entituled An Act to Prevent the Exportation of Indian Corn for the time &c^a sent to the Upper House by M^r Smith and M^r Harris

The Bill entituled A Supplementary Act to the Act entituled An Act for repairing the Damages already sustained in the Records of the Land Secretarys Commissarys and County Court Offices &c^a sent to the Upper House by Col^o Hanson and Captain Gist

The Bill entituled An Act to cut of the Entail of a Tract of Land called Coopers Purchase &c^a sent to the Upper House by Col^o Hooper and M^r Wootton

On Motion Leave Given to bring in a Bill to make Payment to M^r Charles Sewall for Land heretofore Settled by Act of Assembly for the Use of the Choptank Indians

Ordered that the Committee of Laws prepare and bring in a Bill accordingly Col^o Gale from the Upper House delivers M^r Speaker a Petition of Nicholas Hammond a languishing Prisoner in Ann Arundel County Goal Indorsed Referred by the Upper House to the Consideration of the Lower House, which was here Read & Granted

The House Adjourns to the Morrow Morning at nine of the Clock

Thursday Morning June 11. 1741

June 11

The Members of the Lower House of Assembly that were Present Yesterday except the Honourable Speaker met according to Adjournment

L. H. J. M^r Denton appeared this day

P. 277 The following Letter from the Honourable Speaker was communicated to the present members

To the Honourable House of Delegates for the Province of Maryland Gentlemen

The Indisposition of my Son increasing I am under the necessity of withdrawing myself from the Service of the Publick

My Attendance the whole Session has been very Fatiguing, but that I would still have chearfully undergone could it be any longer done with Safety and I assure You that nothing less than the Present Melancholy Occasion where the Life of my Child is so nearly concerned, should have induced me to it As Your Regard and Indulgence to me hath been very particular upon many Occasions for which I now make my last Acknowledgments so I have no doubt of finding your favourable Excuse in this my Case of necessity: and it is therefore that I presume humbly to intreat you to proceed to the Choice of another Speaker in the Place of him who is

Your Honours Most Obedient Servant

Phil: Hammond

Thursday Morning

Col^o Hanson and Major Sprigg went to Acquaint the Governor that M^r Speaker could not attend the Public Service

Col^o Hammond from the Upper House acquaints the Members of this House the Governor requires their Attendance in the Upper House immediately

The Gentlemen of the Lower House went to attend his Excellency who desired them to return to their House and make Choice of a Speaker

They return and unanimously make Choice of Col^o Robert King to be their Speaker and placed him in the Chair

Mess^{rs} Smith and Hanson sent to acquaint the Governor this House hath made Choice of a Speaker

James Holliday Esq^r from the Upper House acquaints the Members of this House that the Governor desires them to Present their Speaker Thereupon the Gentlemen of the Lower House went to the Upper House and presented to the Speaker Col^o Robert King as their Speaker

The Governor approved the Choice

M^r Speaker and the other Members returned

M^r Speaker resumed the Chair

An Ingrossed Bill entituled An Act for the Relief of John Blandford and Hannah Ratcliffe Read and Assented to.

The Bill entituled An Act investing Archibald Douglas of Cecil County Son and Heir of William and Mary Douglas deceased &c^a was Read the second time & will Pass

Which Bill was sent to the Upper House by Col^o Colvil and L. H. J. M^r Rumsey

Major Henry Trippe added to the Committee of Accounts
The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

The Ingrossed Bill intituled An Act to enable the Visitors of the Free School of Kent County for the time being &c^a sent to the Upper House with the Paper Bill by M^r Calder and M^r Osborn Sprigg

The Ingrossed Bill intituled An Act to cut of the Entail of A Parcel of Land called Ropers Neck &c^a

And the Ingrossed Bill intituled An Act for laying out and applying a Sum not exceeding £250 to the Uses therein mentioned p. 278

Sent to the Upper House with the Paper Bills by M^r Denton & M^r Harris

The Ingrossed Bill intituled An Act for the Relief of John Blandford & Hannah Ratcliffe was sent to the Upper House with the Paper Bill by M^r Lloyd and M^r Wilkinson

The Ingrossed Bill intituled An Act for the Continuance of Baltimore County Court &c^a sent to the Upper House with the Paper Bill by Cap^t Gist & M^r Waughop

George Plater Esq^r from the Upper House delivers M^r Speaker the Bill intituled An Act for the cutting of the Entail and investing an Estate of Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife &c^a Indorsed (See page 174) which Bill was here Read and Passed for Ingrossing

The House Adjourns until to Morrow Morning at nine of the Clock

Friday Morning June 12. 1741

June 12

The House met according to Adjournment

M^r Pemberton hath leave of the House to go Home

M^r Thomas Hammond A Member returned to serve in this Present Assembly in the Room of Captain Edward Wright deceased appeared this day

M^r George and M^r Wilkinson sent to the Upper House to see him qualified They return and acquaint M^r Speaker they saw him qualified by taking the Several Oaths to the Government required by Law by Repeating the Test and by signing the Oath of Abjuration and the Test.

The Gentleman took his Place in the House

L. H. J. An Ingrossed Bill empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of Queen Anne Parish in the said County the Sum of 100£ Current Money of Maryland for the Uses therein mentioned was Read and Assented to and sent to the Upper House with the Paper Bill by M^r Wootton and M^r Hall

An Ingrossed Bill entituled An Act empowering the three Commissioners therein named together with the Justices of Calvert County Court to Repair the Court House of that County by an Assessment on the Inhabitants thereof was Read and Assented to & sent to the Upper House with the Paper Bill by M^r Smith and M^r Brome

William Stoughton Esq^r from the Committee of Laws delivers M^r Speaker A Bill entituled A Supplementary Act to the Act entituled An Act for the relief of debtors and ascertaining the manner of Tenders in Tobacco, and to the Supplementary Act thereto

Which Bill was read the first time and Ordered to lie on the Table
M^r Magruder from the Committee of Aggrievances &c^a delivers M^r Speaker the following Report.

By the Committee of Aggrievances and Courts of Justice June 12.
1741

Whereas Complaint has been made to Your Committee that Persons Travelling the Kings High Ways of this Province are stopt and hindered in their Journeys and prosecuting their Lawful Affairs tho' of never so great Importance Publick or Private by means of the Restraint laid on the several Ferries on such Highways by his Lordships Agents and Ministers who by vexing and terryfying People with vexatious Law Suits and Heavy Fines who should (as usual it had been) transport or carry over such Ferries in the Highways aforesaid his Majestys Subjects unless they should have first Compounded with his Lordships Agents or Ministers for an
p. 279 exhorbitant and Yearly Sum to be Paid out of their Labour by Way of a Fine for a License for so doing by means whereof Persons commodiously Scituate on the Banks of Bays Rivers and Inletts on such Highways and whose Property the Shore stands and Landings Contiguous to such High Ways are intimidated and prevented from Necessary Boats and convenient Vessels from transporting and carrying over such Bays Rivers Creeks and Inletts his Majestys Subjects to the great delay and hindrance of Business Publick and Private and manifest Prejudice of his Majestys Liege and dutiful Subjects

That his said Lordships Agents and Ministers take upon themselves to Rate what shall be paid by his Majestys Subjects for passing over such Publick Ferries being the Kings Highways and of late have doubled such Rates which the People are necessitated to Pay or otherwise their Affair to be entirely obstructed: and have likewise increased the Fines for such Ferry Licenses

That inasmuch as this Province is very Luxuriant in Bays Rivers L. H. J. Creeks and Inletts over which the High Roads aforesaid leads such Taxations will in time become most Oppressive and Burthensome as in reallity it now is, Your Committee have hereunto annexed A Copy of a License Granted by his Lordships Agent for keeping such Ferries for the Consideration of Your Honourable House

Your Committee humbly Observe that so early as the Year 1638 Ferries were settled and Regulated by Act of Assembly and at other times since which Acts left the Chief direction to the County Courts which they till of late practiced to settle and regulate

We likewise humbly Observe that in our Neighbouring Colony immediately under his Majesty's Government the several Ferries are by Act of Assembly regulated for the ease and Conveniency of the People

Your Committee are humbly of Opinion his Lordships Agents and Ministers Taxing and rating his Majestys Subjects of and by his and their sole Power and Free Will without Law to support the same, in a most arbitrary and illegal Proceeding is a very great Aggrievance and Innovation on the Rights of his Majestys Subjects the good People of Maryland and that such Practices of his Lordships Agents and Ministers tend to Alienate the Affections of the People from his Lordships Good Rule and Government

But is humbly submitted to the Consideration of your Honourable House
Signed p Order William Cumming Cl Com.

Maryland ss.

Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a To all to whom these Presents shall come Greeting

Whereas it is of Publick Service and Utility not only to the Inhabitants of our said Province but others Travelling through the same to have Ferries kept in Proper and Convenient Places for the easy and convenient Passages of all Persons having occasion to Travel and for Cattle Carriages and Goods of any Sort and that We by our Commission under Our Great Seal of Our said Province have Authorized and Impowered Our Trusty and Well Beloved Benjamin Tasker Esq^r Our Agent and Receiver General to appoint and License Ferries to be kept in proper and Convenient Places for the easy and convenient Passages of all Persons having Occasion to Travel and for the Publick Good and Utility of our said Province And Whereas A Ferry over River from the Old Ferry Point at Annapolis Backwards and Forwards where a Ferry has been usually kept is very convenient for the Purposes aforesaid

Know Ye therefore that Our said Agent and Receiver General by Virtue of the Powers and Authorities to him by Our said Commission Given hath Nominated Licensed and Appointed and by these

L. H. J. Presents doth nominate License and Appoint ——— to be Ferry-
 p. 280 man and keep Ferry over the said River And We strictly Prohibit
 and forbid any other Person or Persons whatsoever without the
 License and Consent of the said ——— first had and Obtained to
 keep any Ferry over the said Place or to Carry or transport Passen-
 gers or Travellers on any pretence whatsoever to the hurt hindrance
 or Prejudice of the said ——— And We do hereby strictly charge
 and enjoyn the said ——— to keep a good and substantial Boat for
 the Carriage and Passage of Travellers and sufficient and able Boats
 to carry Coaches Carts or Waggon and to give Constant and due
 Attendance so as no Person shall be retarded or delayed for want
 of a Passage Wind and Weather permitting and We hereby declare
 that if the said ——— shall neglect to perform what they are hereby
 Enjoin'd and Required to do that such Neglect shall be a forfeiture
 of this Our License and that the same shall actually Cease and
 determine and for the better Encouragement and Support of them
 the said ——— We do hereby Impower the said ——— to ask and
 demand for the Passage of every Traveller and his or her Horse or
 Mare Twelve Pence Current Money of this Our Passage for the
 Passage of every such Traveller having no Horse or Mare Six Pence
 like Money for the Passage of any Coach Chaise Waggon or Cart
 two shillings and Six Pence like Money for the Passage of every
 Horse or Draught Beast drawing the same Six Pence like Money
 for the Passage of every Steer or Cow Six Pence each like Money
 for the Passage of any Steer or Cow two Pence each like Money
 Hereby strictly forbidding the same to Extort any Greater Rewards
 of Travellers or others on Pain of forfeiting this Our License and
 being Subject to such other Penalties as may be Agreeable to Law
 Provided always that neither Ourself Our Governor for the time
 being any of Our Council of State Our Chancellor Commissary
 General Secretary Agent or Attorney General either for Us or them
 Our or their Servants Attendants or Horses shall be Obligated to Pay
 any Ferriage but shall be wholly exempt from such Payment any
 thing in this License to the Contrary notwithstanding the said
 ——— to have and enjoy the said Ferry and to receive and take to
 their own use the several Rewards aforesaid except as before ex-
 cepted for the space of one whole Year from the date of these Pres-
 ents Yielding and Paying therefore for the same unto Us or to our
 Agent and Receiver General for the time being at his dwelling House
 the Sum of ——— Pounds Sterling for Our Use Witness Our said
 Agent at Annapolis the ——— day of ——— In the ——— Year
 of Our Dominion Anno Domini ———

Which was Read and Referred for Consideration on Monday next

Samuel Chamberlain Esq^r from the Upper House delivers M^r
 Speaker the Bill entituled An Act to prevent the Exportation of
 Indian Corn for the time therein limited (See page 175)

To which Amendment the House would not agree and there- L. H. J.
upon Resolved that the Amendment proposed of One Moiety of p. 281
the Forfeiture to the Right hoñble the Lord Proprietary (instead of
the Charitable Intention to which it was applied) being extraordi-
nary and unprecedented this House conceive it more for the Safety
and Interest of the People to remain without such Bill than to Pass
it with such an unprecedented Amendment, and of which hereafter
Use may be made Prejudicial to the Rights and Liberty of the
People

James Harris Esq^r from the Upper House delivers M^r Speaker the
Bill entituled An Act investing Archibald Douglas of Cecil County
Son and Heir of William and Mary Douglas deceased with an
Estate in Fee Simple in the One Moiety of a Tract of Land called
the Level or Scutts Level lying in Baltimore County Indorsed
(See page 175)

Which Bill was here Read and Passed for Ingrossing
Philip Lee Esq^r from the Upper House delivers M^r Speaker the Bill
entituled A supplementary Act to the Act for Repairing the Dam-
ages already sustained in the Records of the &c^a Indorsed (See
page 175)

George Plater Esq^r from the Upper House delivers M^r Speaker
A Petition of Mary Penn a languishing Prisoner in Ann Arundel
County Goal Indorsed Referred by the Upper House to the Consid-
eration of the Lower House which Petition was here Read and
Granted

The House Adjourns to 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Col^o Hammond from the Upper House delivers M^r Speaker the
Petition of Joseph Williams of Ann Arundel County Indorsed
Referred to the Consideration of the Lower House which Petition
was read and referred to the Examination of Col^o Hooper Captain
Gist and M^r Henry Hall and Ordered that they Report to the House
the Facts as they find

A Bill entituled An Act for the Relief of Charles Sewall of Saint
Marys County Esq^r and other Purposes therein mentioned was
brought in Read the first time and Ordered to lie on the table

Col^o Hooper from the Committee appointed to enquire into the
Allegations contained in Joseph Williams's Petition delivers M^r
Speaker the following Report

By the Committee appointed to enquire into the Allegations con-
tained in the Petition of Joseph Williams of Ann Arundel County
Praying Leave to bring in a Bill to cut of the Entail of 200 Acres
part of a Tract of Land called Williams Range containing 412 Acres
lying in Prince Georges County

L. H. J. Your Committee do find a Grant from the Right Honourable the Lord Proprietary Bearing date the 14th of September 1737 to Richard Snowden for the Land mentioned in the said Petition called Snowdens Search containing 133 Acres.

Your Committee do also find a Grant for the Land mentioned in the said Petition called Plumpton Bearing date the 26th day of June Anno Domini 1663 unto George Walker containing 200 Acres, 100 Acres whereof by several mesne Conveyances and by the last Will and Testament of Gabriel Parrott late of Ann Arundel County deceased is now become the Right of the said Richard Snowden in Fee

Your Committee likewise further find a Grant to the said Snowden bearing date the 16th day of November 1726 for the Land mentioned in the said Petition called Snowdens Reputation Supported Containing 2257 Acres 67 Acres whereof together with the Lands before mentioned do Contain 300 Acres as mentioned and set forth in the Petition of the aforesaid Joseph Williams to be Exchanged with the said Richard Snowden for the 200 Acres part of a Tract called Williams Range

p. 282 Your Committee do further find the Lands called Snowdens Search containing 133 Acres Plumpton containing One hundred Acres; and Snowdens Reputation supported Containing 67 Acres amounting in the whole to 300 Acres as aforesaid are equal in Value to the aforesaid two hundred Acres part of the tract called Williams's Range all which is most humbly submitted to the Consideration of the House Signed 7 Order William Marshe Ct Com.

June 12. 1741

On Reading the Report and Concurrence of the House therewith Leave is Given to the Petitioner to bring in a Bill according to Prayer

A Bill was brought in entituled An Act to cut of and Bar the Entail of Part of a certain Tract of Land called Williams's Range in Prince Georges County and to settle other Lands in Lieu thereof

Which was Read the first time and Ordered to lie on the Table

The House Adjourns to the Morrow Morning at nine of the Clock

June 13

Saturday Morning June 13. 1741

The House met according to Adjournment &c^a

All Present as Yesterday except M^r Pemberton

The Committee appointed to Inspect the Accounts of the Agents appointed by Act of Assembly for providing necessaries and transports for his Majestys Forces raised in Maryland delivers M^r Speaker the following Report

By the Committee appointed to Inspect the within Account June 13 1741

Your Committee having carefully Examined the within Account L. H. J. and seen the Vouchers to support the same find the same to be Just and true

All Which is submitted to the Consideration of the House

Signed p Order Richard Dorsey Cl. Com. (See page 156)
May 29. 1741

The Gentlemen appointed in May Session last and continued in p. 287 July Session to procure Copies of Records &c^a and transmit the same to Great Britain for carrying on the Address of this House to his most Excellent Majesty in Regard the Subject matter contained in the Address is not yet determined and as Occasion may be for procuring more Copies of Records and other Papers necessary for carrying on the said Address those Gentlemen then continued are now further continued

On Reading the second time the Bill entituled An Act for the Relief of Charles Sewall of Saint Marys County Esq^r and other Purposes therein mentioned the Question was put Whether M^r Charles Sewall be paid for 2032 Acres or 1396 Acres Resolved that he be Paid for 2032 Acres

For 2032 Acres

M ^r Read	M ^r Henry Hall	M ^r Colvill
Waughop	Smith	Wootton
Swann	Hanson	Osborn Sprigg
Aisquith	Robert Lloyd	Dulany
Calder	Middleton	Gordon
Carroll	Hooper	Wright
Denton	George	

For 1396 Acres

M ^r Wilson	M ^r Gale	M ^r Sheredine
Hynson	Goldsborough	Gist
Weems	Thomas	Edw ^d Sprigg
Brome	Ennalls	Magruder
Courts	Trippe	Hammond
Smallwood	Rumsey	
Stoughton	Pearce	

A further Question was put on the said Bills Whether Commissioners be named in the Bill to Value the Land or that the Value of the Land be incerted in the Bill Resolved that the Value of the Land be incerted in the Bill

The House Adjourns until 2 of the Clock in the Afternoon

Post Merediem

The House met again according to Adjournment &c^a

The Committee of Accounts brought in the Journal of Accounts which was Read and committed again to the Committee Ordered

L. H. J. that they make Allowances to his Lordships Council of State for their Ferriages

The House Adjourns to the Morrow Morning at nine of the Clock

June 15

Monday Morning June 15. 1741

The House met according to Adjournment &c^a

The Bill entituled An Act to cut of and Bar the entail of part of a certain Tract of Land called Williams's Range in Prince Georges County and to settle other Lands in Lieu thereof was Read second time and will Pass

Sent to the Upper House by Doctor Carroll and M^r Thomas A Bill brought in from the Committee of Laws entituled An Act for the Relief of Nicholas Hammond Peter Topping Edward Cooley Henry Templeman, William Bafoot, Ann Rind Widow Mary Penn languishing Prisoners in Ann Arundel County Goal Joseph Maccles-ter a languishing Prisoner in Somerset County Goal and Patrick M^cVey a languishing Prisoner in Cecil County

p. 288 Which was Read the first time and Ordered to lie on the Table

M^r Dulany from the Committee of Laws brings in a Bill entituled An Act for the better Administration of Justice in Testamentary Affairs Granting Administrations Recovery of Legacies securing filial Portions and Distributions of Intestates Estates and for Repealing the several Acts therein mentioned

And It being moved that the Bill be referred for the Consideration of the next Assembly, the same is referred and Ordered that M^r Jonas Green Print 85 Copies of the Bill that he deliver one Copy to his Excellency the Governor one Copy to each Member of the Upper House and the remaining Copies to be sent to the Sheriffs of the several Counties to be delivered to the Representatives of the Counties for the time being by them to be dispersed

Ordered that the Printer carefully stitch and Interleave each Copy

Ordered also that the same Number of the Copies of the Acts of Assembly of the Colony of Virginia, relating to Testamentary and Administration Affairs and manner of passing Accounts thereon, and the Fees allowed there by Law for the same be Printed for the Perusal of the People of Maryland and be stitched up interleaved and transmitted as before directed

Ordered that M^r Dulany and Doctor Carroll collect and procure Copies of such Acts of the Laws of Virginia and Extracts as afore-said which are necessary to be Printed

Ordered that the Printer make Marginal Notes to the Bill before mentioned for which and Printing he is to be allowed by the Publick forty shillings a Sheet

M^r Calder is added to the Committee of Aggrievances

The Journal of Accounts was brought in Read and Assented to L. H. J. Sent to the Upper House by Major Sprigg Captain Sheredine and Major Trippe

Col^o Colvil from the Committee appointed to Inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit &c^a delivers M^r Speaker the following Report (See page 176)

Which being Read the House Concurs therewith

p. 290

M^r Magruder from the Committee of Aggrievances &c^a delivers M^r Speaker the following Report

By the Committee of Aggrievances and Courts of Justice &c^a delivers M^r Speaker the following Report

Your Committee humbly Represent that they Inspected the Secretaries Office, and find the Provincial Court Proceedings Anno 1739 and some Proceedings in May 1740, are entered up and Recorded in a large Book Bound in Parchment for that purpose in a fair legible Hand and the Book of Laws with the Acts pass'd in the two last Assemblies Entred Examined and Attested according to the direction of the Act of Assembly We likewise find the Commission of the Provincial Justices with Dedimus Potestatem dated 31st day of August 1738 which your Committee conceive the Justices of the said Court now Act under Recorded in Liber E I N^o 5 Folio 1 and likewise Entry made therein of the Justices having taken the several Oaths to the Government and also the Oath of Judge and Justice of the Provincial Court and which latter Oath the Clerk has informed your Committee is the same Oath as directed by An Act intituled An Act for ascertaining the Form of the Oath of Judge or Justice

We further find a Record Book for Recording Deeds and Conveyances carried up to this Instant June and likewise that the Office is in good Order the several Books and Papers being Regularly placed in Apartments lately erected

Your Committee likewise find upon Examination of one of the Clerks of the said Office that they demand their Fees in the said Office by Virtue of his Lordships Proclamation, and for which they take Bonds of some Persons one of which Bonds is in the following Words viz.

p. 291

Maryland ss^t

Know all men by these Presents that We Robert Hopkins and Nicholas Hopkins of Talbot County are held and firmly Bound unto Edmund Jenings Esq^r Secretary of the Province of Maryland in the sum of ten thousand Pounds of good Sound Merchantable Tobacco to be paid to the said Edmund Jenings his Executors Administrators and Assigns to the which Payment well and truly to be made We do hereby bind Ourselves and each of Us our and each of Our Heirs Executors Administrators and Assigns by these Presents sealed with Our Seals and dated this 8th day of April 1741

L. H. J. The Condition of the Above Obligation is such that if the Above Bound Robert Hopkins do and shall from time to time Pay or Cause to be Paid to the abovementioned Edmund Jenings his Executors Administrators or Assigns all Fees which hereafter shall be due to the said Edmund Jenings as Secretary of this Province in two Causes between the Lord Proprietary at the Request of the said Thomas Hopkins Plaintiff and Thomas Hopkins and Francis Armstrong Defendants in the Provincial Court according to the Regulation made by the Right Honourable the Lord Proprietary in Council the 14th day of April 1733 on or before the 10th day of May after the same shall be demanded, then the Above Obligation to be Void otherwise to be and remain in full force and Virtue in Law, But if default be made in the Payment of the said Fees, or any part thereof on or before the time aforesaid, then We impower any Attorney in any Court of Record in this Province to appear for Us at the suit of the Above named Edmund Jenings his Executors Administrators or Assigns and to receive a declaration on the Above Obligation, and thereupon to confess Judgment by Nil dicit cognovit Actionem non sum Informatus or otherwise hereby releasing all the Errors that may happen in the said Judgment suing out Execution thereupon or in any of the Proceedings thereunto relating

Your Committee humbly Conceive that the Oath of Judge or Justice taken upon every new Commission ought to be entered at large, as part of the Record Whereby it may appear that no Deviation is made in the same

Your Committee also Conceive that taking such Bonds for Fees before they become due is contrary to Law very Oppressive and an Aggrievance on his Majestys Liege Subjects, but is humbly submitted to the Consideration of your Honourable House

Signed p Order William Cumming Cl Com.

Which being Read the House unanimously Concurs with
The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Col^o Hynson hath leave to go Home

The Report from the Committee of Aggrievances &c^a brought in on Friday last and referred for Consideration this day, was Read and the Question was put that the House Concur therewith Resolved in the Affirmative

For the Affirmative

M ^r Read	M ^r Middleton	M ^r Colvill
Waughop	Courts	Rumsey
Swann	Smallwood	Pearce
Aisquith	Stoughton	Sheredine

Wilson	Gale	Gist	L. H. J.
Carroll	Goldsborough	Edward Sprigg	
Denton	Robert Lloyd	Wootton	
Henry Hall	Thomas	Magruder	
Smith	Hooper	Osborn Sprigg	
Weems	Ennalls	Wilkinson	
Brome	Trippe	Wright	
Hanson	George	Hammond	

For the Negative

M ^r Henry	M ^r Dulany	M ^r Gordon	p. 292
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On motion of a Member that the Bill for raising ——— per hogs-head on all Tobacco to be exported for purchasing Arms and Ammunition &c^a shall have a second reading the previous Question was put Whether the said Question shall be now put or not

Resolved in the Negative

For the Negative

M ^r Read	M ^r Pearce	M ^r Thomas
Waughop	Wootton	Ennalls
Swann	Magruder	George
Henry Hall	Os. Sprigg	Sheredine
Smith	Wilson	Gist
Weems	Calder	Edw ^d Sprigg
Stoughton	Carroll	Wilkinson
Goldsborough	Denton	Wright
Robert Lloyd	Brome	Hammond
Colvil	Courts	
Rumsey	Smallwood	

For the Affirmative

M ^r Hanson	M ^r Gale	M ^r Dulany
Middleton	Hooper	Gordon
Henry	Trippe	

On Motion that A Bill entitled A supplementary Act to the Act entitled An Act for the Relief of Debtors and ascertaining the manner of tenders in Tobacco &c^a should have a second Reading, the previous Question was put, Whether the said Question should be now put or not.

Resolved in the Negative

For the Negative

M ^r Waughop	M ^r Hanson	M ^r Rumsey
Read	Courts	Pearce
Swann	Smallwood	Sheredine

L. H. J.	Wilson	Stoughton	Gist
	Calder	Goldsbrough	Wootton
	Carroll	Rob ^t Lloyd	Magruder
	Denton	Thomas	Os. Sprigg
	Henry Hall	Hooper	Wilkinson
	Smith	Ennalls	Wright
	Weems	George	Hammond
	Brome	Colvill	

For the Affirmative

Mr Middleton	Mr Trippe	Mr Gordon
Henry	Edward Sprigg	
Gale	Dulany	

The House Adjourns to the Morrow Morning at nine of the Clock

June 16 Tuesday Morning June 16. 1741

The House met according to Adjournment &c^a

All Present as Yesterday except Col^o Hynson

Col^o Hammond from the Upper House delivers Mr Speaker the Bill entituled An Act to cut of and Bar the Entail of part of a certain Tract of Land called Williams's Range &c^a Indorsed (See page 180)

Which Bill was here Read and Passed for Ingrossing

The Bill entituled An Act for the Relief of Nicholas Hammond, Peter Topping &c^a Was Read the second time and will Pass sent to the Upper House by Mr Denton and Major Henry

An Ingrossed Bill entituled An Act for the cutting of the Entail and investing an Estate of Inheritance in Fee Simple in part of A Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife and to entail other Lands lying in Saint Marys County in lieu thereof was Read and Assented to and sent to the Upper House with the Paper Bill by Mr Read and Mr Swann

p. 293 An Ingrossed Bill entituled An Act investing Archibald Douglas of Cecil County son and Heir of William and Mary Douglas deceased with an Estate in fee simple in the one Moiety of A Tract of Land called the Level or Scutts Level lying in Baltimore County was Read and Assented to and sent to the Upper House with the Paper Bill by Captain Sheredine and Captain Gist

Mr Jacob Hindman a Member elected to serve in this present Assembly in the Room of Mr John Brannock deceased appeared in the House

Ordered that Col^o Hooper and Captain Ennalls go to the Upper House and see him qualified

They return and acquaint M^r Speaker they saw him qualified L. H. J. by taking the several Oaths to the Government required by Law by Repeating the Test and by Signing the Oath of Adjuration and Test.

The Gentleman took his Place in the House

Col^o Gale from the Upper House delivers M^r Speaker the Bill entituled An Act reviving An Act of Assembly of this Province entituled An Act for the Speedy Recovery of small debts out of Court before a Single Justice of the Peace Indorsed (See page 181)

James Holliday Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for Limitation of Officers Fees Indorsed (See page 181)

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r Smith from the Committee appointed to Inspect the Arms and Ammunition, and Accounts thereto relating delivers M^r Speaker the following Report

By the Committee appointed to Inspect the Arms Ammunition and Accounts relating thereto

June 16. 1741

Your Committee having viewed and Inspected the Quality and Quantity of the Arms and Ammunition of this Province lodged in the City of Annapolis do find the same as follows viz.

In the Powder House forty half Barrells of Gun Powder

In the Room over the Conference Chamber everything remain as last Year (except one Drum delivered by the Governors Order to James Wilson for the Use of the Assembly) and that the Arms and Ammunition in the Council Chamber remain fix'd as they were last Year

We also find that some of the Arms aforesaid are but in indifferent Order

We further find by the Governor and Councils Order one quarter Barrell of Gun Powder and fifty Pounds of Bullets delivered to the Honourable Levin Gale Esq^r since last Session for the Use of Captain William Fosset of Somerset County

We likewise find sundry Goods (not Yet come to hand) Ship'd on Board the Baltimore amounting to £520..19..4 as per Invoices and Shop notes produced to Your Committee a Copy of which said Invoices and Shop notes follows in these Words, viz.

London the 13 of March 1740/1

Invoice of Goods Ship'd on Board the Baltimore Jerningham Bigg, master for Maryland on the Proper Account and Risque of the Province of Maryland, and goes Consigned to M^r Charles Hammond Treasurer of the Western Shore of said Province viz^t

L. H. J. P M H

N ^o 27	Swords and Belts. White	£65.. 6.. 8
	Trumpets &c ^a Nicholson and Company	27..11.. 0
	Gun Flints Weale	2..10.. 0
	Ship Chandlery Roberts	64..19.. 0
	A Box &c ^a	0.. 2.. 0
p. 294	Entry Cockett and Searchers Fees	1..12.. 0
	Porters Cartage and Ware house Rent	2.. 0.. 0
	Wharfage Shipping and Lighterage	2.. 0.. 0
	Primage paid the Master	1.. 1.. 0
	Bills Lading	0.. 1.. 0
		<hr/>
		6..14..0
	Commission 2½ p Cent	4.. 3..8
		<hr/>
		£171.. 6..4

London the 13th March 1740/1

Invoice of Goods Ship'd on Board the Baltimore Jerningham Bigg Master for Maryland on the proper Account and Risque of the Province of Maryland and goes Consigned to M^r John Ross viz.

P M R	Musketts &c ^a Brasier	£325.. 4.. 0
N ^o 48	Entry Cockett and Searchers Fees	3.. 0..0
	Porters Cartage and Warehouse Rent.	1..10..0
	Wharfage Shipping and Lighterage	1..10..0
	Primage paid the Master	2.. 2..0
	Bill Lading	0.. 1..0
		<hr/>
	Commission 2½ p Cent	8.. 3.. 0
		8.. 6.. 8
		<hr/>
		£341..13.. 8

London the 13 March 1740/1

Invoice of Goods Ship'd on Board the Baltimore Jerningham Bigg Master for Maryland on the Proper Account and Risque of the Province of Maryland and goes Consigned to M^r Charles Hammond Treasurer of the Western Shore of the said Province viz.

P M C	Tin Ware Grander	£1..17.. 6
N ^o 26	Brasiery Sellers	5.. 8.. 0
	A Box	0.. 1.. 6
	Entry Cockett and Searchers Fees	0..2..0
	Porters Cartage and Ware house	0..2..0
	Wharfage Shipping and Lighterage	0..2..0
	Primage paid the Master	0..1..6
	Bill of Lading	0..1..0
		<hr/>
	Commission 2½ p Cent	0.. 8.. 6
		0.. 3..10
		<hr/>
		£7..19.. 4

Bo ^t of Richard Weale	5000 best Gun Flints at 10/	2..10.. 0	L. H. J.
D ^o Amos White	80 Basket Hilted Swords at 13/	52.. 0.. 0	
In a Case N ^o P M I	80 Buff Belts at 3/4	13.. 6.. 8	
Bo ^t Samuel Roberts	600 W ^t Musket Ball at 17/	5.. 2.. 0	
	300 W ^t Pistoll Balls at 17/	2..11.. 0	
	1000 W ^t Pistoll Powder at 11 Pence	55.. 0.. 0	
	20 Half Barrells for ditto	1.. 0.. 0	
	18 Keggs for the Shot at 4 ^d	0.. 6.. 0	
	Waterage &c ^a Charge to Gravesend	1.. 0.. 0	
Bo ^t Will ^m Nicholson	14 Drums with Apparel 18/	12..12.. 0	
	10 Trumpets and Mouth Pieces £1..6.	13.. 0.. 0	
	7 double drum Casks	1..15.. 0	
	1 Packing Box to the Trumpet	0.. 4.. 0	
Bo ^t of Rob ^t Brasier	400 Muskets Bayonets and Slings at 16/ p } Musket	320.. 0.. 0	
	16 Cases at 6/6 each	5.. 4.. 0	
Bought of Leon Gander	1 Tin Candaleer for 24 Candles	1..10.. 0	p. 295
	A Case	0.. 7.. 6	
Bought of William Sellars	Brasier at the Pestle and Mortar in Little Tower Street } N ^o 26 18 Brass Arms and Screws	5.. 8.. 0	

Your Committee having likewise Examined and Inspected the several Treasurers Accounts of the three Pence p hh^d raised for purchasing of Arms and Ammunition, do find, that over and above the Sum mentioned in last Report there has been raised as per Col^o Charles Hammond's Account rendered this Assembly £135..9..5¾ and as per James Holliday Esq^r his Account rendered this Assembly £84..7..5 which in the whole amounts to £219..16..10¾ Sterling

All which Your Committee humbly submit to the Consideration of the House Signed p Order Thomas Jennings Clk.

Ordered that M^r Dulany and Doctor Carroll prepare an Address to the Governor representing the present State and Condition of the Arms in Annapolis

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise, Indorsed (See pages 167 and 182)

L. H. J. James Harris Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for Reviving An Act of Assembly, entituled an Act for the Advancement of Justice &c^a Indorsed (See pages 154 and 182)

Col^o Gale from the Upper House delivers M^r Speaker the Bill entituled An Act to revive and Continue An Act of Assembly of this Province entituled An Act for the better Relief of Poor Debtors; Indorsed (See pages 155 and 182)

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled An Act to revive An Act of Assembly of this Province entituled A Supplementary Act to the Act entituled An Act for Emitting and making Current Ninety thousand Pounds Current Money &c^a Indorsed (See pages 164 and 182)

James Holliday Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for Reviving An Act of Assembly entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, Indorsed (See pages 155 and 182)

The Bill entituled An Act for the Relief of Charles Sewall of Saint Marys County Esq^r and other Purposes therein mentioned: Read the second time and will Pass

M^r Dulany brings in the Address to the Governor which was Read Approved and Ordered to be Ingrossed

The Bill entituled An Act for raising three Pence per Hogshead on all Tobacco to be exported for purchasing Arms and Ammunition &c^a was Read and committed for Amendments

The Bill entituled A supplementary Act to the Act entituled An Act for the Relief of Debtors &c^a Read the second time and will Pass

The House Adjourns to the Morrow Morning at 9 of the Clock

June 17

Wednesday Morning June 17. 1741

The House met according to Adjournment &c^a

M^r Aquila Paca a Member Elected to Serve in this Assembly in Room of M^r Roger Mathews deceased appeared in the House

Ordered that Captain Sheredine and Captain Gist go to the Upper House and see him Qualified

They return and acquaint M^r Speaker they saw him Qualified by taking the several Oaths to the Government required by Law, by repeating the Test and by signing the Oath of Abjuration and Test

The Gentleman took his Place in the House

The Bill entituled An Act for Relief of Charles Sewall &c^a was sent to the Upper House, by M^r Aisquith and M^r Swann

The Address to his Excellency was brought into the House Ingrossed which follows in these Words.

To his Excellency Samuel Ogle Esq^r Governor of Maryland

L. H. J.

The humble Address of the House of Delegates of the same Province

May it please Your Excellency

It being Reported to this House by the Committee appointed to Inspect the Arms and Ammunition and Accounts relating thereto, that some of the Arms in the Council Chamber are but in indifferent Order. We think it our duty to acquaint Your Excellency of it, not doubting but You will be pleased to give the necessary directions that proper Care be taken that the said Arms be put into and kept in good Order by the Armourer or Person who hath the care of the said Arms and receives a Salary for the same

Which was Signed on Behalf of the House of Delegates by the Honourable Speaker

Col^o Hooper and M^r Henry Hall Ordered to acquaint the Governor this House hath prepared an Address to him and desireth to know when and where he will please to receive it. They return and acquaint M^r Speaker the Governor will be ready in an Hours Time to receive the Address in the Conference Chamber

George Plater Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Relief of Nicholas Hammond &c^a Indorsed (See page 183)

Which Bill was Read with the Amendments and Passed for In-grossing

Ordered that M^r Smith with the rest of the Committee for Inspecting the Arms &c^a present the Address to the Governor

The Bill entituled A Supplementary Act to the Act entituled An Act for the Relief of Debtors and ascertaining the manner of Tenders in Tobacco &c^a sent to the Upper House by M^r Smith and Captain Gale

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Journal of Accounts and the following Message (See page 184)

The Bill entituled An Act for raising three Pence p hogshead for purchasing Arms and Ammunition &c^a was Brought in with Amendments made which was made the second time, and with the Amendments Passed which was sent to the Upper House by Col^o Hanson and Col^o Hooper

The Governor communicated to M^r Speaker the following Answer to the Address of this House viz.

L. H. J. Gentlemen of the Lower House of Assembly

In Your Address presented to me this day by M^r Smith you tell me “ that it has been reported to your House that some of the Arms in the Council Chamber are but in indifferent Order, which you think it Your duty to acquaint me with, not doubting but that I will give the necessary direction that proper Care be taken that the said Arms be put into and kept in good Order, by the Armourer or Person who hath the Care of the said Arms and receives a Sallary for the same

As this seems to impute a Deficiency to me in a point of duty that I ought to know something of, I think myself Obligated to acquaint you, that I have not only given frequent directions to the proper Officer to take Care of the Arms but have often inspected them myself, and can very confidently assure you, that in the main they are taken exceeding good Care of, and are in every respect in much better order than they were during the time of the late Armourer, nor can the Oldest member of the Council remember them to have been ever kept in better Order

But after all I am very sensible that Arms acquire Rust so fast and require such frequent Cleaning that it may be of Service to the Publick considering the quantity of Arms We have and expect to employ one Smith at least constantly in the Brightning & Polishing of them which the Armourer considering his other Services cannot Possibly do out of the Salary of Forty Pounds a Year which is all that the Council have ever thought proper to allow him out of the small Fund of three Pence p^p h^h^d for Arms &c^a therefore if you think proper to give a further Sum for the taking Care of the Arms I assure you it shall be very faithfully applied to the Purpose intended

Sam Ogle

The Justices of Prince Georges County Summoned to Appear to make Answer to the Report of the Committee of Aggrievances &c^a appear at the Bar of the House

The Reports from the Committee of Aggrievances were Read: The Justices made their Excuse and were Ordered to withdraw

The House on Consideration, Ordered, that the Justices be called in again, and that M^r Speaker from the Chair acquaint them with the Sense of the House, The Gentlemen were called in

M^r Speaker acquainted them in the following Words:

Gentlemen as these are Aggrievances and concurred with by this House, I am to acquaint You that it is the Sense of the House that You be desired to Inspect more carefully into the Laws which Tax his Majestys Subjects and not to Levy or Assess any Tax not laid by Law, or which you are not by Law impowered to do; for that not only Yourselves but Your Fellow Subjects Suffer and thereby great and insufferable Inroads are made on the Right and Liberty of the

Subject as it is presumed You have Acted through Inadvertency in these Cases, you are discharged Paying the Officers their respective Fees and You are desired by this House to regulate in the next Levy to be laid for your County, the mistake made in the Allowance to M^r Murdock

L. H. J.
p. 298

The House Adjourns until the Morrow Morning at nine of the Clock

Thursday Morning June 18. 1741

June 18

The House met according to Adjournment &c^a

Accounts Charged to the Publick by M^r John Ross Clerk of the Council sent down from the Upper House with the Journal of Accounts were read in this House and on due Examination of the Articles will not be allowed

An Account Charged to the Publick by M^r Jonas Green Printer, sent down from the Upper House with the Journal of Accounts was Read in this House and on due Examination of the Articles will not be allowed

James Harris Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Relief of Charles Sewall of Saint Marys County Esq^r and other Purposes therein mentioned; Indorsed (See pages 183 and 184)

Which was Read, with the Amendments and Passed for Ingrossing

Col^o Gale from the Upper House delivers M^r Speaker the following Paper Bills viz. The Bill entituled An Act impowering the Justices of Prince Georges to Levy 100[£] &c^a The Bill entituled An Act for the Relief of John Blandford &c^a The Bill entituled An Act investing Archibald Douglas &c^a with an Estate in Fee Simple in one Moiety of a Tract of Land called the Level &c^a The Bill entituled An Act for cutting of the Entail &c^a of a Tract of Land called Coopers Purchase &c^a The Bill entituled An Act impowering the Justices of Calvert County to repair the Court House &c^a The Bill entituled An Act impowering the Visitors of the Free School of Kent County &c^a The Bill entituled An Act to enable the Visitors of the Free School of Kent County &c^a The Bill entituled An Act for laying out and applying a Sum not exceeding £250 to the uses therein mentioned, And the Bill entituled An Act to cut of the Entail of A Parcel of Land called Ropers Neck &c^a which Bills were severally Indorsed

By the Upper House of Assembly, The Ingrossed Bill whereof this is the Original is Read and Assented to.

Signed 7 Order J Ross Cl Up Ho.

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled a supplementary Act to the Act entituled An Act for the Relief of Poor debtors &c^a Indorsed (See page 184)

L. H. J. Col^o Colvill delivers M^r Speaker the following Report

At A Meeting of A Committee of the Lower House of Assembly appointed to Inspect the Accounts and Proceedings of the Agents appointed by Act of Assembly for Paying the Bounty to Persons Inlisting for his Majestys Service, June 14. 1741

Were Present Col^o Thomas Colvil, M^r Will^m Rumsey, M^r Tho^s
p. 299 Sheredine, M^r James Weems, M^r John Gale Who make Choice of Col^o Thomas Colvil Chairman and William Ghiselin Clerk and Agree on the following Report Viz.

Your Committee having Inspected the Accounts Receipts and Vouchers of the Agents appointed as aforesaid, do find their Accounts to stand in the following manner viz.

- 1 George Plater Esq^r Agent for Saint Marys County
- 2 Col^o Levin Gale Agent for Somerset County
- 3 John Rousby Esq^r ditto for Calvert County
- 4 Col^o Henry Hooper ditto for Dorchester County
- 5 Philip Lee Esq^r ditto for Prince Georges County
- 6 Mathew Tilghman Ward Esq^r ditto for Talbot County
- 7 Col^o Robert Hanson ditto for Charles County
- 8 Col^o James Holliday ditto for Queen Anns County
- 9 Col^o Charles Hammond ditto for Ann Arundel County
- 10 Col^o James Harris ditto for Kent County
- 11 Col^o Thomas Colvil ditto for Cecil County
- 12 M^r Roger Mathews ditto for Baltimore County

Received of the Commissioners		And paid Soldiers in			Total of Soldiers	Sum of the bounty	Money returned into the Office	Commission	Sum total Accounted for
		Addisons Company	Milbourns Co.	Lloyds Co.					
1	205.. 0..0	3	23	13	39	195	5	5.. 0	205.. 0
2	205.. 0..0			40	40	200			205.. 0
3	0.. 0..0 *								
4	205.. 0..0						200	5.. 0	205.. 0
5	307..10..0	60			60	300		7..10	307..10
6	205.. 0..0		24	16	40	200		5.. 0	205.. 0
7	205.. 0..0	19			19	95	105	5.. 0	205.. 0
8	205.. 0..0						200	5.. 0	205.. 0
9	205.. 0..0	29		11	40	200		5.. 0	205.. 0
10	205.. 0..0		16		16	80	120	5.. 0	205.. 0
11	205.. 0..0		33	7	40	200		5.. 0	205.. 0
12	205.. 0..0								

*No Accounts returned the Agent being Dead

All which is humbly Submitted to the Consideration of the House

Thomas Colvill Thomas Sheredine John Gale
William Rumsey James Weems

Ordered that M^r Carroll and M^r Calder prepare a Message to the L. H. J. Upper House In Answer to their Message of Yesterday sent down P. 300 with the Journal of Accounts

Ordered that the Clerk of this House write to the Executrix of M^r Roger Mathews deceased late of Baltimore County to Pay the Balance remaining in her Hands to the Commissioners of the Paper Office and to lay before this House next Assembly an Account of the Money received by said Mathews from the Commissioners of the Paper Office as Agent for Baltimore County

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

An Ingrossed Bill entituled An Act to cut of and Bar the Entail of a certain Tract of Land called Williams's Range in Prince Georges County and to settle other Lands in Law thereof was Read and Assented to and sent to the Upper House with the Paper Bill by M^r Magruder and M^r Osborn Sprigg

An Ingrossed Bill entituled An Act for the Relief of Nicholas Hammond, Peter Topping Edward Cooley Henry Templeman William Bafoot Ann Rind Widow and Mary Penn languishing Prisoners in Ann Arundel County Goal Joseph Macclester a languishing Prisoner in Somerset County Goal, and Patrick MacVey a languishing Prisoner in Cecil County Goal was Read and Assented to and sent to the Upper House with the Paper Bill by Major Henry and Captain Gale

Ordered that M^r Jonas Green Print the Votes and Proceedings of this House during this Session for which an Allowance will be made as usual of the Rate of twelve shillings for every days Proceeding

Ordered that M^r Jonas Green Print the Votes and Proceedings by the first day of August next.

The following Message (See page 185)

Sent to the Upper House with the Journal of Accounts by the P. 301 Committee of Accounts

An Ingrossed Bill entituled An Act for the Relief of Charles Sewall of Saint Marys County Esq^r and other Purposes therein mentioned Was Read and Assented to, and sent to the Upper House with the Paper Bill by M^r Aisquith and M^r Swann

Col^o Hanson from the Committee of Elections and Priviledges delivers M^r Speaker the following Report viz.

By the Committee of Elections and Priviledges June 17. 1741

Your Committee having examined the several Writs directed to the Sheriffs of Queen Anns Dorchester and Baltimore Counties and Inspected the several Indentures of M^r Thomas Hammond M^r Jacob

L. H. I. Hindman and Captain Aquila Paca Members returned to serve this Assembly do find that the said M^r Thomas Hammond M^r Jacob Hindman and Captain Aquila Paca are duly Elected All which is humbly submitted to the Consideration of the House

Signed p Order Thomas Jennings Ck.

James Holliday Esq^r from the Upper House delivers M^r Speaker the Bill intituled An Act for raising three Pence per hhd on all Tobacco &c^a Indorsed (See page 186)

p. 302 Which Bill was Read and the Amendments proposed by the Upper House, with which Amendments this House do not Agree: Inasmuch as the said Bill sufficiently provides for the matter intended of providing Arms and Ammunition for Defence of the Province And it is therefore Ordered that the said Bill be entred on the Journal of the House that it may appear by whose Means this Province remains without the same

The Bill Ordered to be Entred on the Journal follows in these Words viz.

An Act for raising Three Pence p hogshead on all Tobacco to be Exported for Purchasing Arms and Ammunition for the Defence of this Province

Whereas his Majesty Our most Gracious Sovereign is now Engaged in a War with Spain and lest the Magazine of Arms and Ammunition now in the Province and the Monies heretofore raised by any former Acts should prove Insufficient for the present Purpose We his Majestys faithful Subjects the Delegates of the Freemen of Maryland in General Assembly Convened, to testify Our Zeal for his Majestys Person and Government and for putting Ourselves in the best and Speediest Posture of defence We are able; humbly pray that it may be Enacted

And Be it Enacted By the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor, and the Upper and Lower Houses of Assembly and the Authority of the same that there shall be Levied Collected and raised a Duty or Impost of three Pence Sterling Money on every hogshead of Tobacco which now is or hereafter, shall be loaden on Board any Ship or Vessel to be Exported out of this Province, and not Cleared at some Naval Office before the end of this present Session of Assembly to be Collected and received by the respective Naval Officers in the same manner as other duties on all Tobacco now due and Payable are Collected and Raised which said duty shall from time to time by the Naval Officers aforesaid be Paid to Philip Hammond of Ann Arundel County Esq^r

And Be it further Enacted by the Authority Advice and Consent aforesaid that the same Philip Hammond Esq^r shall with the Money which he shall so receive by Virtue of this Act send for and Purchase

for the use and defence of this Province such Arms Ammunition and L. H. J. other Warlike Stores as his Excellency his Lordships Present Governor or his Lordships Governor or Commander in Chief for the time being shall direct and Appoint

And Be it further Enacted by the Authority aforesaid that the several Naval Officers aforesaid shall from time to time make and render to both Houses of Assembly of this Province sufficient and Clear Accounts of all Monies, which they shall receive by Virtue of this Act and that the same Philip Hammond shall sometime Render to both Houses of Assembly, Accounts of what Monies he shall receive by Virtue of this Act, and how the same shall have been disposed of

And Be it further Enacted that the said several Naval Officers for Collecting and Receiving the duty aforesaid and Paying the same to the aforesaid Philip Hammond shall take and be allowed the Salary of five Per Cent for such Part as they shall Collect or Receive as Naval Officers aforesaid and that the same Philip Hammond shall receive two Pounds and one half Pound per Cent for laying out and applying such Money Collected as aforesaid according to the directions of this Act.

And Be it further Enacted, that if the Governor or Commander in Chief of this Province for the time being shall not direct any Arms Ammunition or other Stores aforesaid to be Purchased with the Money arising from the duties aforesaid before the next Session of Assembly which shall happen after the Expiration of this Act that then the said Money or such Part thereof as shall be unapplied and unlaid out as aforesaid shall be applied to and for defraying the Publick Charge of this Province as the House of Delegates in such future Assembly shall direct and appoint. p. 303

Provided always that nothing herein Contained shall extend or be deemed or Construed to Extend to Prejudice or take away any Right or Claim which the People of this Province have or ought to have to any Money or Monies heretofore or now Levied by the Right Honourable the Lord Proprietary under Colour of An Act of Assembly made in the Year 1704 Entituled An Act for Settlement of an Annual Revenue upon her Majestys Governor within this Province for the time being

This Act to Continue to the 29th of September which shall be in the Year of Our Lord 1742 and no longer

The House Adjourns to the Morrow Morning at nine of the Clock

Friday Morning June 19. 1741

June 19

The House met according to Adjournment &c^a

The House proceeded to Tax the following Bills viz.

L. H. J. An Act investing Archibald Douglas of Cecil County son and Heir of William and Mary Douglas deceased with an Estate in Fee Simple in the one Moiety of a Tract of Land called the Level or Scutts Level lying in Baltimore County

To the Honourable Speaker £2..0..0

To the Clerk 1..0..0

An Act to cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to convey the same in Fee in Exchange for other Lands

To the Honourable Speaker £4..0..0

To the Clerk 2..0..0

An Act for the cutting of the Entail and investing an Inheritance in Fee Simple in part of a Tract of Land called Coopers Purchase in Thomas Spalding and Catherine his Wife and to entail other Lands lying in Saint Marys County in Lieu thereof

To the Honourable Speaker £1.. 0..0

To the Clerk 0..10..0

An Act to cut of and Bar the Entail of part of a certain Tract of Land called Williams's Range in Prince Georges County and to settle other Lands in Lieu thereof

To the Honourable Speaker £4..0..0

To the Clerk 2..0..0

George Plater Esq^r from the Upper House delivers M^r Speaker the following Paper Bills viz. the Bill intituled An Act to cut of and Bar the entail of Part of a certain Tract of Land called Williams's Range in Prince Georges County &c^a The Bill intituled An Act for the Relief of Nicholas Hammond &c^a And the Bill intituled An Act for the Relief of Charles Sewall of Saint Marys County Esq^r and other Purposes Indorsed By the Upper House of Assembly June 18. 1741 The Ingrossed Bill whereof this is the Original is Read and Assented to Signed p Order J Ross Cl Up Ho.

The House adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Col^o Gale from the Upper House delivers M^r Speaker the Journal of Accounts and the following Message (See page 187)

p. 304 Major Sprigg, Doctor Carroll, M^r Calder, Col^o Colvil M^r Rumsey and M^r Osborn Sprigg appointed A Committee to enquire into Ways and Means to discharge the several Allowances in the Journal of Accounts

The House Adjourns until the Morrow Morning at nine of the Clock

Saturday Morning June 20. 1741

L. H. J.
June 20

The House met according to Adjournment &c^a

All Present except M^r Wilson and M^r Wilkinson

M^r Thomas and M^r Hammond have leave to go home

Major Sprigg from the Committee appointed to enquire into Ways and means &c delivers M^r Speaker the following Report.

By the Committee appointed to find out Ways and Means for defraying the Publick Charge June 20. 1741

Your Committee having carefully examined into the present State of the Paper Office and of the sundry duties arising on the Trade of the Province do find there is little or no Money in the said Office but what is appropriated to particular Uses, and that the said duties being already charged with former Loans, any of the said Appropriated Money now to be taken out for Payment of the Publick, could not be refunded in a great many Years, and therefore conceive the most eligible method of discharging the sum of the Journal of Accounts, will be by an equal Assessment on the taxable Inhabitants of the Province Whereby the People will know what they have at last to Pay after four Years Suspension of the Publick Tax, and thereby the Funds will be clear to answer former Engagements p. 305 and other Publick demands that may happen But Submit the same to the Consideration of the House

Signed p Order Witham Marshe Cl.

Ordered that the same Committee prepare and bring in a Bill for the Assessment and Payment of the Publick Charge of this Province

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Major Sprigg from the Committee appointed brings in a Bill entituled An Act for the assessment and Payment of the Publick Charges of this Province which was Read the first and second time by an especial Order and will Pass, and was sent to the Upper House with the following Message (See page 189)

By Major Sprigg and the rest of the Committee appointed to prepare the Bill

The House Adjourns until Monday Morning at 9 of the Clock.

Monday Morning June 22^d 1741

June 22

The House met according to Adjournment &c^a

All Present as on Saturday except M^r Thomas, M^r George and M^r Ennalls

L. H. J. Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Assessment and Payment of the Publick Charges of this Province Indorsed (See page 189)

Which Bill was Read here and Passed for Ingrossing

An Ingrossed Bill entituled An Act for the Assessment and Payment of the Publick Charges of this Province was Read and Assented to and sent to the Upper House with the Paper Bill by M^r Calder and M^r Hall

James Harris Esq^r from the Upper House delivers M^r Speaker the Paper Bill entituled An Act for the Assessment and Payment of the Publick Charges &c^a Indorsed (See page 189)

Col^o Gale from the Upper House acquaints M^r Speaker the Governor requires the Attendance of the Lower House immediately

M^r Speaker left the Chair and with the other Members of the House attended his Excellency in the Council Chamber where the following Ingrossed Bills Assented to by both Houses were Passed into Laws by the Governor his affixing to each the Right Honourable the Lord Proprietary his Great Seal at Arms and Indorsing them thus on Behalf of the Lord Proprietary of this Province, I will this be a Law (See page 190)

p. 306 The Governor acquainted M^r Speaker that by advice of his Lordships Council he Prorogued this Assembly to the second Tuesday in September next

So Endeth this third Session of Assembly this 22^d day of June in the twenty seventh Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore and in the Year of Our Lord God 1741

Test M Macnemara Cl lo Ho.

ACTS

At a Session of Assembly begun and held at the City of Annapolis the 26th Day of May in the twenty seventh Year of the Dominion of the Right Hoñble Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore Annoq Domini 1741 and Ending the twenty second Day of June following.

Session
Laws
See also
Liber B.L.C.
pp. 215 ff.
Chapter I

The following Laws were enacted & assented to by his Excellency Samuel Ogle Esq^r Gov^r

An Act to Enable the Visitors of the Free School of *Kent* County for the Time being, to Lease one Moiety of the Land, except Ten Acres, belonging to the same School. Preamble.

Whereas the Visitors of the Free School of *Kent* County, by their Petition to this General Assembly, have set forth, that the Moiety of the Land, belonging to the same School, Assigned for the Conveniency of making Corn and Grain, and for Pasturage to the Master, lying Contiguous to *Chester-Town*, would prove of much greater Advantage, if the same was divided into small Lots or Parcels, and Leased out to the Inhabitants of the said Town, and others of the Neighbourhood, for Pasture or Meadow Ground, than if made Use of as the Act of Assembly directs, besides that the making of Corn and Grain must necessarily take up some Part of the Masters Time, which ought to be employed in Attendance on the School, and being Apprehensive, that Leases of the same Land, made either by them or the Master, would not be binding on a Succeeding Master, in case of Death or Removal, and therefore prayed an Act of Assembly to Enable them to make such Leases, which is thought reasonable to Grant.

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Visitors of *Kent* County Free School for the Time being, or the major Part of them, be and are hereby Authorized and Impowered, to Divide and Lay out all that Northernmost or Uppermost Moiety of the Land belonging to, and Purchased for the Use of, the Free School aforesaid, except Ten Acres, into so many convenient Lots or Parcels as to them or the major Part of them shall seem meet, not exceeding the Quantity of Three Acres to each Lot, and the same so Divided and Laid out, to Number and Distinguish by the Numbers, One, Two, Three, and so on, and to Demise and Lease out the same to the highest Bidders, Ten Days

Part of the
School
Lands in
Kent
County to
be divided
into Lots
and Leased
out by the
visitors.

Session Laws For a Term of Years. Publick Notice being first given, for any Term of Years not exceeding Twenty One Years, under such Yearly Rents as the same Visitors or the major Part of them shall think proper and reasonable.

Such Leases good and binding. *And be it further Enacted*, That all such Leases as the aforesaid Visitors or the major Part of them shall make, of the Land aforesaid, according to the Directions of this Act, shall be good and valid to the Person or Persons taking the same for the Terms therein mentioned, and shall be binding as well on the Master of the same School at the Time of making such Lease or Leases, as on any succeeding Master or Masters, who shall be Admitted to, or put in Possession of, the same School, at any Time after the making of the same Lease or Leases, any Law, Statute, other Act of Assembly, Usage or Custom to the contrary notwithstanding.

p. 2 *And be it further Enacted, by the Authority aforesaid*, That the Monies arising on the Leases aforesaid, for the Rents of the Lands aforesaid, shall be Applied to the Use of, and paid to, the Master of the School aforesaid for the Time being, and not otherwise, and if Rent how applied. it shall happen at any Time during the Continuance of any such Terms, that there be no Master of the said School, that then and in every such Case, all Monies arising on such Leases during such Vacancy, shall be paid to, and Recieved by, the Visitors aforesaid, and by them or the major Part of them, laid out and Applied for the Use and Benefit of the said School, as to them or the major Part of them shall seem meet.

Chapter II An Act for Laying out and Applying a Sum not exceeding *Two Hundred and Fifty Pounds* Current Money to the Uses therein mentioned.

Preamble. Whereas by an Act made at a Session of Assembly, begun and held at the City of *Annapolis*, the *Thirteenth* Day of *March Seventeen Hundred and Thirty Two*, entituled, *An Act for Emitting and making Current Ninety Thousand Pounds Current Money of Maryland in Bills of Credit*, a Sum not exceeding *Five Hundred Pounds*, in the said Bills of Credit, is appointed to be Applied towards or in the Repairs of the Publick Buildings, according to the Directions of an Act passed that Session.

And Whereas it is represented to this present General Assembly, by the major Part of such of the Trustees as were appointed to Apply the said *Five Hundred Pounds*, that upon Inspection into the Repairs necessary to be made to the Council-House, the Stadt-House, and the Parade, in *Annapolis*, it is found that the said Sum is not sufficient to pay for what Repairs have been made, or to Compleat the same as it ought to be, and therefore it is necessary that a further Sum be applied to the Purposes aforesaid, which is thought reasonable.

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That a further Sum, not exceeding the Sum of Two Hundred and Fifty Pounds Current Money, be Applied to the Purposes aforesaid, and that the Honourable Benjamin Tasker, Esq; the Honourable Edmund Jennings Esq; Dr. Charles Carroll, Mr. Vachel Denton, and Capt. Robert Gordon, or the Majority of them, are hereby Impowered and Authorized to Apply the same (to be paid to them or their Order in manner herein after Directed) in and towards such Repairs of the Council-House, the Stadt-House, and the Parade in Annapolis, already made or to be made, as they shall think most proper, and that the Commissioners or Trustees for Emitting the Bills of Credit by Act of Assembly, shall Issue and Pay the said Money according to the Directions of the said Benjamin Tasker, Esq; Edmund Jennings, Esq; Dr. Charles Carroll, Mr. Vachel Denton, and Capt. Robert Gordon, or the major Part of them.

Session
Laws
250 l. appro-
priated for
repairing
the Publick
Buildings.

An Act to Cut of the Entail of a Parcel of Land called Ropers Neck and to enable Benjamin Howard to Convey the same in Fee in Exchange for other Lands.

Chapter III
Liber
B. L. C.
p. 216

Whereas Benjamin Howard of Ann Arundell County by his petition to this General Assembly has set forth that he is seised in ffee Tail of and in Two hundred and thirty acres of Land Part of a Tract of Land in the same County called Ropers Neck which being Chiefly Cleared of wood and almost Surrounded with other Lands belonging to a Certain Thomas Rutland is altogether Inconvenient and unfit for him to settle upon and that therefore he had agreed with the same Thomas Rutland to whom the same land lyes Convenient to Exchange the same for another Tract of Land Consisting of Sundry parcells to wit Oven Wood Thickett Containing two hundred Acres Part of Howards Addition thirty Acres and part of Devalls Range One hundred Acres all lying Contiguous to Each other and Composing one Convenient Body of Land well Timbered and Convenient for the said Petitioner and therefore prayed that an Act might be made to Cut of the Entail of the said Land called Ropers Neck and to enable him to Convey the same in Fee in Exchange for the aforesaid other Parcells of Land abovementioned. Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the same that the said Benjamin Howard be and is hereby vested seised and possessed of and in all that the aforesaid Parcell of Land called Ropers neck with all and Singular the Appurtenances thereunto belonging heretofore devised in Fee Tail by a Certain Thomas Roper to his Daughter Mary Grandmother of the said Benjamin as of an Estate in Fee simple to him his Heirs and Assignes and to the only proper Use and behoofe of him the said Benjamin Howard his Heirs and

p. 217

Liber
B. L. C.

Provided Always that the aforesaid Benjamin Howard or his Heirs before the making of any such Grant or Conveyance as aforesaid by Good and Effectual Deed or Deeds by him or them to be duly Executed shall Grant and settle the aforesaid Parcellls of Land called Oven Wood Thickett Howards Addition and Deval's Range with the Appurtenances in Fee tail upon himself the same Benjamin Howard and the Heirs of his Body lawfully to be begotten according to the true Intent and Meaning of the last Will and Testament of the aforesaid Thomas Roper Saving to his Most Sacred Majesty his Heirs and Successors the Right Honourable the Lord Proprietary his Heirs and Successors and all Bodies Politick and Corporate and all others not mentioned in this Act their Severall and respective Rights.

Session Laws

Laws
p. 3
Chapter IV
Preamble.

Justices of
Pr. George's
County to
determine
the value of
John Bland-
fords Slave
at the Time
of his com-
mitment.

the said next Court, in Court judicially sitting, settle and determine what Value the aforesaid Slave of the aforesaid *John Blandford* was of at the Time of his Commitment aforesaid, in Current Money of this Province, and shall Cause an Entry or Minute of such Value to be made in the Proceedings of their said Court.

Session
Laws

And be it further Enacted by the Authority aforesaid, That the Treasurer of the Western Shore of this Province for the Time being, upon the producing a Certificate from the Clerk of the said County, under his Hand and the County Seal (which Certificate the same Clerk is hereby required to make and give) of the Value of the said last mentioned Slave, settled and determined as aforesaid, shall Pay to the same *John*, his Executors, Administrators or Assigns, what the same Slave shall have been Valued at as aforesaid, out of the Publick Stock of this Province in his Hands, without Fee or Reward.

Allowance
for said
Slave to be
paid out of
the
Treasury.

And be it further Enacted by the Authority aforesaid, That the Justices of *Queen-Anne's* County Court, shall, at the next Court to be held for that County after the End of this present Session of Assembly, or at the Court succeeding the said next Court, in Court judicially sitting, settle and determine what Value the aforesaid Slave of the aforesaid *William Ratcliffe* was of at the Time of his Commitment aforesaid, in Current Money of this Province, and shall Cause an Entry or Minute of such Value to be made in the Proceedings of their said Court.

Justices of
*Queen
Anne's*
County to
determine
the value of
*Wm. Rat-
cliffe's* Slave
at the Time
of his com-
mitment.

And be it further Enacted by the Authority, Advice and Consent aforesaid, That the Treasurer of the Eastern Shore of this Province for the Time being, upon the Producing a Certificate from the Clerk of the said County, under his Hand and the County Seal (which Certificate the same Clerk is hereby required to make and give,) of the Value of the said last mentioned Slave, settled and determined as aforesaid, shall Pay to the same *Hannah Ratcliffe*, her Executors, Administrators or Assigns, what the same Slave shall have been Valued at as aforesaid, out of the Publick Stock of this Province in his Hands, without Fee or Reward.

p. 4
Allowance
to his Exe-
cutrix to be
paid out of
the
Treasury.

Provided always, and it is hereby further Enacted and Declared, That the Sum of Money which the said *Hannah Ratcliffe* shall Receive by Virtue of this Act for the Slave last mentioned, shall be deemed and reckoned as Assets in the personal Estate of the aforesaid *William Ratcliffe*, and Subject to the Payment of Debts and Distribution in the same manner as if the same had been paid to the said *William Ratcliffe* in his Life Time.

Said Allow-
ance subject
to Payment
of Debts,
&c.

An Act for the Continuance of *Baltimore* County Court, *Cæcil* County Court, *Kent* County Court, and *Queen'Anne's* County Court, from the first, third and fourth Tuesdays in *June* next, until the first, third and fourth Tuesdays in *August* next.

Chapter V

Whereas several of the Justices of the said respective Counties, and also several of the Attorneys Practising in the said Courts, are

Preamble.

Session Members of this Assembly, or otherwise obliged to Attend their
Laws Duty therein.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Causes, Pleas, Process, and Proceedings, either Civil or Criminal, now depending in or returnable to any of the said County Courts, to be held the first, third, or fourth *Tuesdays* of *June* this present Year, shall be, and are by Virtue of this Act, continued from the first, third, and fourth *Tuesdays* in *June*, until the first, third, and fourth *Tuesdays* in *August* next respectively, and shall be then in the same State, Plight and Condition, as they would be on the said first, third, or fourth *Tuesdays* in *June*, and were undetermined in the last *March* Courts, held for the said respective Counties, any Law, Usage, or Custom to the contrary notwithstanding.

Chapter VI An Act Impowering the three Commissioners herein named, together with the Justices of *Calvert* County, to Repair the Court-House of that County, by an Assessment on the Inhabitants thereof.

Preamble. Whereas, as well the Justices of the said County Court, as other the Inhabitants of the said County, have heretofore, by their humble Petition to the then General Assembly, set forth, that the Court-House of the said County being Built with Wood, and although of no long Standing, yet is so decayed, that in a very few Years the same will be altogether useless, and consequently put the County to a great Charge to Build a new one, and that, excepting the Shingling, the Roof is supposed to be good, and therefore Pray that an Act may Pass in order to enable them to Brick the under Works and new Shingle the said House, and that the Money that shall be agreed to by the Commissioners herein after named, and Justices of the said County, to be paid to the Person or Persons that shall Perform the said Work, shall be Assessed and Levied on the Taxable Inhabitants of the said County; All which Allegations being made appear to that Assembly, and it being now represented to this House by the Delegates for that County, that the said Court-House hath never been yet Repaired, and is in great danger of falling down: It is therefore Prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Mr. Benjamin Mackall, Mr. Benjamin Hance, and Mr. Richard Young, together with the Justices of *Calvert* County, or the major Part of them, be, and are hereby, Impowered to agree with any Person or Persons to new Shingle the Court-House afore-

Calvert
County
Court-
House to
be Repaired.

said, and to have the under Works or Walls thereof made up and walled with Brick, Stone, or otherwise, as they shall think fit, and to make such Repairs as the said Court-House shall want. Session Laws

And be it further Enacted by the Authority, Advice and Consent aforesaid, That the said Justices of *Calvert County*, or the major Part of them, be, and are hereby, Impowered to Assess and Levy, by an equal Assessment, on the Taxable Inhabitants of the said County, any Sum of Money, not exceeding *Five Hundred Pounds* Current Money of *Maryland*, in order to satisfy and pay any Workmen they shall agree with to do the said Work, so as aforesaid to be made to the said Court-House aforesaid, one Moiety of such Sum as they shall agree for, to be Levied at the next *November* Court to be held for the said County, and the other Moiety at *November* Court thereafter, which said Money shall be Collected by the Sheriff of the said County for the Time being, and paid by him to the Person or Persons that the Commissioners and Justices aforesaid shall Order and Direct, and that the said Sheriff shall have for such Collection at and after the rate of *Five Pounds* Current Money *per Cent.* and no more. The Charge of Repairing how de-fray'd.

An Act Impowering the Justices of *Prince George's County*, to Levy on the Taxable Inhabitants of *Queen Anne Parish* in the said County, the Sum of *One Hundred Pounds* Current Money of *Maryland*, for the Uses therein mentioned. Chapter VII
p. 6

Whereas the Vestry-men, Church-wardens, and principal Inhabitants of the Parish aforesaid, have by their Petition to this General Assembly set forth, that their Rector the Reverend Mr. *Jacob Henderson*, hath at his own Cost new Shingled the Chappel which was Built by his late Spouse and him, in a convenient Place of the said Parish for the remote Inhabitants, and hath given the same, with Four Acres of Land whereon it stands, to the said Parish for Ever, that the said Chappel wants sundry Repairs, and have humbly Prayed that an Act may Pass impowering the Justices of *Prince George's County* Court, to Levy on the Taxable Inhabitants of the said Parish, the Sum of *One Hundred Pounds* Current Money, in order to enable them to compleat the above Repairs, and also, that the said Chappel may be deemed a Chappel of the said Parish, and at all Times hereafter, when need require, be supported and repaired at the Charge of the said Parish. Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of *Prince George's County*, shall and may, and they are hereby Authorized and Impowered, on the Application of the said Vestry-men and Church-wardens, to

Session Assess and Levy on the taxable Inhabitants of the said Parish, the
 Laws aforesaid *One Hundred Pounds*, which said Sum of *One Hundred*
 100 l. *Pounds* shall be Collected by the Sheriff of the said County, who is
 applied to- hereby Authorized and Directed to Collect the same, and who
 wards Re- shall have for such Collection at and after the Rate of *Five per Cent.*
 pairing a and the said Money, when so Collected, shall be paid to the said
 Chappel. Vestry and Church-wardens, who are hereby Authorized and Re-
 quired to Apply the same towards repairing the said Chappel.

And be it further Enacted by the Authority, Advice and Consent aforesaid, That all Tobacco or Money hereafter to be Levied by virtue of any Act or Acts of Assembly of this Province, on Application to the Justices of the said County, made by the Vestry and Church-wardens of said Parish, shall be Applied as well for the Repairing of the said Chappel as the Parish Church in the said Parish, in such Manner and Proportion as to the Vestry-men and Church-wardens of said Parish for the Time being shall seem most just and reasonable.

Chapter An Act for the Cutting off the Entaile and Investing an Estate of
 VIII Inheritance in fee Simple in Part of a Tract of Land called
 Liber Coopers purchase in Thomas Spalding and Katherine his wife
 B. L. C. and to Entail other Lands lying in Saint Marys County in lieu
 p. 220 thereof.

Whereas a Certain Thomas Cooper late of Saint Marys County planter deceased on the thirteenth Day of March Anno Domini Seventeen hundred and Twenty Two made his last Will and Testament in Writing and among other things therein Contained made the following devise (Viz) likewise all my Lands with New Town Mill to her and to her Heirs for Ever Except my now Dwelling Plantation during my Wife's life but after her Decease to my Daughter Katherine and to the Heirs of her Body and in Case the said Katherine dye without such Heirs to my Cousin Thomas Cooper and his Heirs for Ever as by the said Will duly proved relation being thereunto had may appear and in a Short time thereafter departed this life By Virtue of which said Will the said Thomas is seised in Right of his wife in Fee Tail of Part of a Tract of Land lying in Saint Marys County lately called Coopers purchase but formerly Seymore Town or in that now known by the name of Leonard Town And Whereas it is represented to this Present General Assembly that the aforesaid Lands is much the worse by having the Towns aforesaid laid out within it and is now of so little Value to them by means aforesaid that they think it much more advantageous to them to sell the same And Whereas the Land also lying at the Head of Britains Bay in Saint Marys County called Crackburns Purchase Containing One hundred Acres which he Conceived to be of much more Value than the other and is desirous the same may be settled to the same uses as the aforesaid Part of a Tract of Land

herein before mentioned is And Whereas the truth of the Premises is sufficiently made appear to this Present Generall Assembly Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the same that the said Thomas and Katherine his wife be and are hereby vested with an Estate in Fee Simple in the aforesaid thirty nine Acres of Land as fully and amply as if the same had been devised to the said Katherine by her said Father in Fee Simple and that the said Thomas and Katherine have full Power and Authority to sell and Dispose thereof as fully and amply as if the same Land had not been Entailed and the aforesaid One hundred Acres of Land called Crackburn's Purchase be and is hereby Entailed in the same manner and to the same Uses as the aforesaid Lands devised to the said Katherine by the will of her Father Any Law Statute Usage or Custom to the Contrary notwithstanding Saving to his most Sacred Majesty his Heirs and Successors to his Lordship the Right Honourable the Lord Proprietary his Heirs and Successors and to all Bodies Politick and Corporate and all others not mentioned in this Act their Several and respective Rights.

Liber
B. L. C.

p. 221

An Act Investing Archibald Douglas of Cecil County Son and Heir of William and Mary Douglas deceased with an Estate in fee Simple in the One Moiety of a Tract of Land called the Levell or Scutts Levell lying in Baltimore County Chapter IX

Whereas the said Archibald Douglas by his humble Petition to this General Assembly has set forth That at a Session of Assembly held for this Province the first Day of March Anno Domini one thousand Seven hundred and thirty four that his Father William Douglas and his Mother Mary both which are since dead by their Petition to the General Assembly set forth that on the fourth Day of May One thousand Seven hundred and three John Scutt late of Baltimore County made his last Will and Testament and amongst other things Devised to his Daughter Mary Scutt the then wife of the said William Douglas his then Dwelling Plantation with two tracts of Land belonging to the same the one known by the name of Mornings Choice the other by the name of Mornings Choice Addition to her the said Mary and to her Heirs of her Body after the Decease of his then wife and in Case the said Mary should happen to dye without Issue then he gave the said two tracts of Land and Plantation to his Daughter Sarah Hart and her Heirs for Ever and shortly after died, and that the said Tracts of Land were indifferent and lay incommodious to the then Petitioners And further that the said William was seised in fee of four hundred Acres of Land in Cecil County on the Branches of Bohemia River being part of Vulcans Rest and that he had six Sons and five Daughters by his said Wife and Prayed that the Entail of the Land in Baltimore County before

Liber mentioned should be cut off and the said William and Mary invested
B. L. C. with a Fee Simple Estate in the same and that the Land in Cecil
County might be Entailed in lieu of the Lands in Baltimore in pur-
suance whereof An Act of Assembly passed And Whereas the said
Archibald Douglas has now further set forth by his said Petition
that the said John Scutt by his last Will and Testament did Give and
bequeath to his said Daughters Sarah Hart and Mary Scutt all that
Tract of Land called the Levell or Scutts Level lying in Baltimore
County aforesaid to be equally divided in Quantity and Quality
betwixt them Containing in the whole about five hundred Acres of
Land and to the Heirs of their Bodies for ever and that if either of
the said two Daughters should dye without Issue then the Survivor
and her Heirs to inherit the same with Remainder over which said
half part of the Levell or Scutts levell is intirely Useless to the said
Archibald Douglas and in fact was intended to be included in the
former Act of Assembly That the said Sarah Hart afterwards in-
termarried with a Certain Richard Owings of Baltimore County
deceased and has Issue of her Body, That the said Richard and
p. 222 Sarah during the life time of the said Richard were very willing that
the Entail of the said Marys Part of the Levell should be cut off and
that the said William and Mary should have been invested with a
Fee Simple therein on the Considerations in the former Act men-
tioned and that the said Sarah is still willing it may be so and that
the said Archibald Douglas be invested with a Fee Simple therein
and the said Archibald Douglas further by his humble Petition set
forth that his said Father in his life time passed a bond in a Consider-
able Sum of Sterling money to Benjamin Tasker Esquire for the
Conveying to him the Part of his said Mother in the said Land called
the Levell or Scutts Levell believing as he presumed the same was
included in the former Act of Assembly or not doubting but that in
Regard the Lands Entailed in Cecil County so much Exceeded in
Value the Lands aforesaid Entailed in Baltimore County and more
Especially for that the said Richard and Sarah were willing the
Entail should be cut off and that an Act might pass to that purpose
and the said Archibald further by his said Petition hath set forth
that his Father and Mother have left Seven Sons and four Daugh-
ters now living that the Personal Estate of his said Parents is but
small and that the bond so passed by his Father is now put in Suit
and that he is left without Law or Equity for his Defence and that
should he be obliged to pay it, it would Greatly impoverish him his
Brothers and Sisters and leave them without a Sufficient Stock to
Cultivate the Land he lives on in Cecil County before mentioned
he having no other to work and further that he hath lately repre-
sented to the said Sarah Owings the State of his Case who in Com-
passion and Justice to him his Brothers and Sisters hath signified her
Consent and Desire that the Entail of the Petitioners Mothers part
of the Levell or Scutts Levell in Baltimore County aforesaid should

be Cutt off and the said Archibald invested with a Fee Simple therein He the said Archibald not Doubting but that the said Benjamin Tasker Esquire would upon his Conveying to him the one half thereof stop his Suit against him and Deliver to him the bond aforesaid and that as he was Entirely remediless in the Premisses the said Benjamin Tasker Esquire not being satisfied with barring the Entail at Law prayed leave to bring in a Bill Cutting off the Entail of his Mothers Part of the Levell or Scutts Levell and investing him with a Fee Simple therein and this Generall Assembly having taken into their Consideration the Allegations of the Petitioner and finding them to be true and the Petitioner Worthy of their Relief pray that it may be Enacted And be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the same that the said Archibald Douglas be and is hereby invested with an Estate in fee Simple in all that half Part of the Levell or Scutts Levell before mentioned to have been devised unto his Mother Mary by John Scutt before mentioned in as full and ample manner to all Intents and purposes as if the same had been devised in Fee Simple and that the said Archibald or his Heirs have full Power and Authority to sell and Dispose of the same in Fee Simple notwithstanding the said Will or anything therein Contained to the Contrary in any wise. Saving to his Most Sacred Majesty his Heirs and Successors the Right Honourable the Lord Proprietary his Heirs and Successors and all other persons not mentioned in this Act their Several and respective Rights and Claims.

Liber
B. L. C.

An Act to Cutt off and Barr the Intaile of Part of a Certain Tract of Land called William's Range in Prince Georges County and to settle other lands in lieu thereof. Chapter X

Whereas Benjamin Williams deceased being seized in Fee Simple of a Tract of Land called William's Range containing four hundred Acres in Prince Georges County by his last Will and Testament devised two hundred Acres thereof to Joseph Williams and the Heirs of his Body lawfully begotten forever which said two hundred Acres as well from the Scituation as Quality of the Land are not so fit and Proper for the use and Advantage of Planting as other Lands of Equal Value which the said Joseph might Exchange the said Two hundred Acres for And Whereas the said Joseph Williams hath agreed with Richard Snowden of Ann Arundell County Gentleman to Exchange the said two hundred Acres with the said Richard Snowden for the following Parcells of Land (Viz) a Tract of Land called Snowdens Search containing One hundred and thirty three Acres also Sixty Seven Acres Part of another Tract of Land called Snowdens Reputation Supported also part of another Tract of Land called Plumpton containing one hundred Acres which said several parcels of Land amounting in the whole to three Hundred Acres lye contiguous to each other in Ann Arundel County and are Butted

p. 223

Liber
B. L. C.

and bounded as followeth Viz. Beginning at the Head of a small Cove going out of a Creek called Gabriels Creek and running thence as followeth Viz: North Eighty two Degrees East nineteen Perches North forty Degrees East eight Perches North Sixty five Degrees East Ten Perches North Eighty Eight Degrees East twenty six Perches South fifty seven Degrees East Eighteen Perches North twenty nine Degrees and half a Degree East twenty Eight Perches North forty Eight Degrees West thirty one Perches North four Degrees East Seventeen perches North thirty two Degrees East Eighteen Perches North Seven and one half Degree West twelve perches North twenty two Degrees East twelve perches north fifty nine Degrees West twenty Perches North fifty one Degrees West Ten perches south fifty Seven Degrees and half a Degree West Six Perches North forty five Degrees West twenty two perches North fifty two Degrees and an half Degree East twenty five Perches North Sixteen Degrees and half a Degree East thirty two Perches North fifty three Degrees West twenty two perches North twenty nine Degrees and half a Degree West twenty two perches North fourteen Degrees East fourteen Perches North fifteen Degrees West twenty three Perches North twenty nine Degrees East Ten Perches north twenty one Degrees East fourteen Perches South Sixty five Degrees West forty perches south Eighty two Degrees West fifty two perches South thirty Degrees West twenty Eight Perches north Seventy Degrees West one hundred and Sixty Six Perches South nineteen Degrees East one hundred and ten Perches North Sixty Six Degrees East nine perches thence with a streight Line to the beginning Cove Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governour and the Upper and Lower Houses of Assembly and the Authority of the same that the said Entaile and Limitation of Estate of and in the said two Hundred Acres part of William's Range be and is hereby cutt off and Barred and that the said Richard Snowden his Heirs and Assigns shall be and are by Virtue of this Act vested with and have an Estate of Inheritance in ffee simple of in and to the said two Hundred Acres of Land And be it further Enacted by and with the Authority Advice and Consent aforesaid that in Lieu of the said two Hundred Acres the said Joseph Williams and his Heirs shall have and be by Virtue of this Act Intituled to and vested with an Estate of Inheritance in ffee Taile to him and the Heirs of his Body lawfully Begotten of in and to the said three Hundred Acres being Butted and Bounded as aforementioned Saving to his Majesty his Heirs and Successors his Lordship the Lord Proprietary his Heirs and Successors and all Bodies Politick and Corporate and all other Persons not named in this Act his and their Several Rights and Claims any thing in this Act Contained to the contrary notwithstanding

An Act for the Relief of *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind Widow, and Mary Penn*, languishing Prisoners in *Ann-Arundel County Goal*, *Joseph Macclester*, a languishing Prisoner in *Somerset County Goal*, and *Patrick Mac Vay*, a languishing Prisoner in *Cæcil County Goal*. Session
Laws
Chapter XI
p. 7

Whereas the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester*, and *Patrick Mac Vay*, by their humble Petition to this present General Assembly, have set forth, that they have continued Prisoners for Debt in the Custody of the Sheriffs of the several Counties aforesaid, and still continue in the like deplorable Circumstances, and not being able to redeem their Bodies with all the Estate or Interest that they have in the World, which they would readily deliver up and part with to their several and respective Creditors, if they would accept of the same and Grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that unless relieved by a particular Act Passed in their Favours, which by their said Petitions they have humbly prayed, they must inevitably continue Prisoners for Life. And for that the Truth of the said Petitioner's Allegations are made appear to this present General Assembly by sufficient Testimonies, and that the said Petitioners are fit Objects of Charity, and that their lying in Goal can be no Benefit to their Creditors, it is humbly Prayed that the said Petitioners may be Relieved according to their Prayers, and that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditor or Creditors of the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester*, and *Patrick Mac Vay*, or the Attorney of such Creditors aforesaid within this Province, shall within Twenty Days after this Session of Assembly, go to the Sheriffs of the aforesaid Counties of *Anne-Arundel, Somerset* and *Cæcil*, and give good Security to pay the Imprisonment Fees the Sum of Ten Pounds of Tobacco per Day, that shall or may become due from the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester*, and *Patrick Mac Vay*, after the end of the said Twenty Days, and also find the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester*, and *Patrick Mac Vay*, sufficient Meat, Drink and Cloathing, during their future Imprisonment; and in Case they the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester*, and *Patrick Mac Vay*, Creditors to
go to the
Sheriffs in
20 Days,
and give
security for
the Fees, &c.

Session
Laws
Otherwise
the Debtors
to be dis-
charg'd on
surrendring
their
Estates.

shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriffs of the Counties aforesaid, in the Presence of Two Justices of the Peace of the said Counties, whom the said Sheriffs are hereby required to Summon on the request of the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, at some convenient time after the receipt of this Act, not exceeding Ten Days, all their Real and Personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which they have any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriffs of *Ann-Arundel, Somerset, and Cæcil*, Counties, for the use of the said Creditors, all such their Estate, Interest or Claim as aforesaid, after such manner as by the said Sheriffs, and by the major part of such Creditors, or of such of them as shall think fit to direct therein, or their Council Learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim the Benefit thereof, so as the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, be not burthened with any Warranties thereby, other than from themselves or those claiming by, from or under them, and that the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, at the Time of such their Surrender and Transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices of the Courts aforesaid, to the Effect following, *Viz.*

The Oath to
be taken on
surrendring.

I A. B. do Affirm, or solemnly Swear, that the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of _____ County, and in Trust for the use of my Creditors, is the whole Estate both Real and Personal of my Own in Possession or have any Title to in the World, and that I have not any Estate, Goods or Effects of any kind whatsoever, left either in Possession, Reversion or Remainder (the necessary Wearing Apparel for my self, Wife and Children, and Working Tools, excepted) and that I have not directly or indirectly sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof. So help me God.

It shall and may be lawful for the Sheriffs of the Counties aforesaid, after the end of the said Twenty Days, and the said Sheriffs are hereby required to Discharge the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, out of their Custody, and suffer them to go at large.

And be it further Enacted by the Authority aforesaid, That if the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, shall hereafter be Imprisoned by reason of any Judgment or Decree obtained for the Payment of any Debt, Damage or Cost, contracted, occurred, or occasioned, owing or growing due before the end of this Session of Assembly, upon every such Arrest, on any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judge or Justices of the Court where any such Process shall issue, upon shewing a Duplicate of the Discharge of the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, being so Arrested, to release and discharge out of Custody the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, provided the said Prisoners, or either of them, being so Arrested, shall and do enter his or their Appearance, or procure some Attorney to appear to every such Action and plead thereto, provided that the Discharge of the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, shall not acquit any other Person from such Debt, Damage or Cost, or any part thereof, but that all such Persons shall be answerable for the same in such manner as they were before the Passing this Act.

Session
Laws

p. 9
To be dis-
charg'd
from future
Arrests on
their Ap-
pearance
and plead-
ing this Act.

Provided always, and be it Enacted by the Authority aforesaid, That notwithstanding the Discharge of the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, all and every Debt or Debts, due and owing from him or them, and all and every Judgment had or Decree obtained, against him or them, shall stand and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements and Hereditaments, Goods and Chattels of him or them, and which he or they, or any other Person in Trust for the use of him or them, had at the Time of the discharge of the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, or which he or they at any Time hereafter shall or may be any way Seized or Possessed of, or Interested in, to his or their own use, or in his or their own proper Right, either in Law or Equity, (except the wearing Apparel and Bedding, or Working Tools of him or them, not exceeding the Sum of Ten Pounds Current Money,) and it shall and may be lawful for any of their Creditors, their Executors, Administrators and Assigns, to take out new Execution

Debts to
stand good
in case the
Persons re-
lieved by
this Act
shall be able
to Pay here-
after.

Session Laws or Executions against the Lands, Tenements, or other Hereditaments, Goods and Chattels, of the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, or any of them, (except as before excepted) for the Satisfaction of his or their Debts, in such sort, manner and form, as he or they might have done if the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, or any of them, had not been taken in Execution or Discharged by virtue of this Act.

Justices and Sheriffs to plead this Act in Actions of Escape, &c. *And be it further Enacted by the Authority aforesaid*, That if any Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice or Justices, for the performing their Office in Pursuance of this Act, he may Plead the General Issue, and give this Act and the Matter in Evidence, and if the Plaintiff be Non-suit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

Proviso. *Provided also*, That nothing in this Act shall extend or be construed to extend to bar any Creditor or Creditors of the before mentioned Prisoners, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making of this Act.

Persons intended to be relieved by this Act, if perjur'd, not to receive any benefit therefrom. *Provided nevertheless*, That in Case the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, or any of them, shall at any time after making such his Oath or Oaths, or taking such his Affirmation or Affirmations, as aforesaid, be Convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the tenor of such Oath or Affirmation as aforesaid, that then the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, or any of them, being Convicted as aforesaid, shall upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him or them by this Law, and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever, in the same manner as if this Act had never been made; any thing to the contrary notwithstanding.

Sheriff's Fees to be first paid out of the Prisoners Effects. *Provided always*, That the Sheriffs of *Anne-Arundel, Somerset, and Cæcil*, Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before any Creditor or Creditors shall have any share of the Prisoners Effects, and if the said Prisoner's Effects shall not be sufficient to satisfy the Sheriffs their Imprisonment Fees, that then the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William*

Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, shall Satisfy and Pay to the Sheriffs the residue of their Imprisonment Fees, provided that the said Sheriffs shall not Prosecute, Detain or Imprison the said *Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Bafoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay*, or any of them, within Two Years after his or their Release; any thing in this Act contained to the contrary notwithstanding.

Session
Laws

And be it further Enacted by the Authority aforesaid, That if any of the Persons intended to be Relieved by this Act are and shall be of sufficient Ability of Body or Labour, such Person or Persons, being unmarried and having no Family, shall be and are hereby obliged to Serve a Term not exceeding Five Years, to any Person or Persons who are or shall be inclinable to purchase the Time and Servitude of such Debtor or Debtors as aforesaid, and that the respective Sheriffs in whose Custody the aforesaid Persons, or any of them, are, be, and are hereby, authorized, empowered and obliged, at the first County Court to be held for their respective Counties next after the end of this Sessions, and during the Time of Court sitting, by order of such Court, to publish the Sale of such Debtor, and the Time of his or her Servitude, and the same may and are hereby obliged to sell or dispose of to the highest Bidder, and the Money arising from such Sale, shall be as Effects of such Debtor in the hands of such respective Sheriff as aforesaid, subject to an equal distribution to the Creditors of such Debtor or Debtors, and such Sheriff is hereby obliged to distribute the same in equal proportion to such Creditors accordingly.

Prisoners to
be Sold for
5 Years if
unmarried,
&c.

Provided always, That any such Debtor or Debtors being Single and subjected to Serve as aforesaid, and being Sold for that purpose, that then and in such case such Sale and Service is hereby deemed a full and sufficient acquittal and discharge against all Debts due from such Person or Persons, before such Sale and Servitude as aforesaid; any thing in this Act, or any Law, Statute, Usage or Custom to the contrary thereof notwithstanding.

Such Sale to
clear them
of all Debts.

An Act for the Relief of *Charles Sewall* of *St. Mary's* County, Esq; and other Purposes therein mentioned.

Chapter
XII

Whereas it hath been made appear to this General Assembly, That *Henry Sewall*, Esq; Deceased, Grandfather to the said *Charles Sewall*, was seized in his Demesne as of Fee, of and in a Tract of Land called *Darby*, lying in *Dorchester* County, containing Three Thousand Acres, according to the Grant or Patent thereof, which same Land was by the said *Henry Sewall* Devised in Fee Simple to *Jane* his Wife, Grandmother to the said *Charles Sewall*, and descended from the said *Jane* to *Nicholas Sewall*, late of *St. Mary's* County, Esq; Deceased, Father of the said *Charles Sewall*, and was by the said *Nicholas Sewall* Devised to be Sold for the Payment of

Preamble.

Session his Debts: That the said Tract of Land was by virtue of an Act of
Laws Assembly made in the Year of our Lord, *One Thousand Six Hundred and Sixty Nine*, Settled on and Appropriated to the Use of the *Choptank Indians*, in view of keeping them in Peace and Amity with the Inhabitants of this Province.

And whereas the said *Nicholas Sewall* in his Life Time was satisfied and paid by the Publick for a Tract of Land called *Indian Neck*, containing Six Hundred Acres included in the Survey of the said Tract called *Darby*, and that there remains no more of the said Tract called *Darby*, exclusive of the said Six Hundred Acres and Water, than Two Thousand and Thirty Two Acres, which said
p. 12 Two Thousand and Thirty Two Acres are Bounded as follows, *viz.* Beginning at a Point of Marsh, being the uppermost Bound of a Tract of Land laid out for *Jerome White*, Esq; and running up the River binding therewith to *Sewall's* Creek, thence up the said Creek and Branch thereof, binding therewith till it intersect a South East Line drawn from the Mouth of the said Creek, at the distance of Six Hundred and Forty Perches, ran on the said South East Line, thence South West Seven Hundred and Fifty Perches, till it intersect a South East Line drawn from the Place of Beginning, and with that Line to the said Beginning, containing Two Thousand and Thirty Two Acres of Land exclusive of *Indian Neck*, for which no Satisfaction or Compensation appears ever to have been made to those who have the Estate of the said *Henry Sewall*. And for that it is agreeable to natural Equity and Justice, that the Publick should make Satisfaction for the said Land, whereof the Owner was Divested for the Publick Safety.

610 l. to be Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's
paid Charles Sewall out of the Loan-Office. Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said *Charles Sewall*, his Executors, Administrators or Assigns, shall be paid the Sum of *Six Hundred and Ten Pounds* Current Money of this Province, to be Paid with all convenient speed by the Commissioners or Trustees for Emitting the Bills of Credit, to the said *Charles Sewall*, his Executors, Administrators or Assigns, and Repaid to the said Commissioners or Trustees, by the Treasurers of this Province, out of the Publick Stock thereof, so soon as they shall have the same in their Hands, after the Payments already directed by any Act of Assembly heretofore made, shall have been made, in full Satisfaction and Compensation for the said Two Thousand and Thirty Two Acres of Land; which same Money so to be Paid, shall be subject to such Disposition and Application as the said *Nicholas Sewall* hath Directed and Appointed by his Last Will and Testament.

When the Land de- And be it further Enacted by the Authority aforesaid, That when
serted by the Indians, then to be sold by Commissioners. the Indians commonly called the *Ababcoes*, *Hutsawaps*, and *Tequas-simoes*. for whose Use the said Land was settled, and taken from

the Owner thereof, shall totally leave and desert the same, that the same Land shall be Sold and Disposed of by Commissioners or Trustees to be Appointed by the Assembly, and that the Money arising by the Sale thereof, shall be Applied to Reimburse the Publick the Money directed by this Act to be Paid to the said *Charles Sewall*.

Session
Laws

And be it further Enacted by the Authority, Advice and Consent aforesaid, That when the said Indians commonly called the *Ababcoes*, *Hutsawaps*, and *Tequassimoes*, as aforesaid, for whose Use the said Land called *Indian Neck* was settled and taken from the Owner thereof, shall totally leave and desert the same, that the same Land shall be Sold and Disposed of by Commissioners or Trustees to be Appointed by the Assembly, and that the Money arising by the Sale thereof shall be Applied to Reimburse the Publick, what was Paid by the Publick to the said *Nicholas Sewall*.

And the
Money arising by such
Sale to reimburse the
Publick.

p. 13

Saving to his most Sacred Majesty, his Heirs and Successors, the Right Honourable the Lord Proprietary, his Heirs and Successors, and all Bodies Politick and Corporate, and all Others not mentioned in this Act, their several and respective Rights.

An Act for the Assessment and Payment of the Publick Charge of this Province.

Chapter
XIII

Whereas there is the Sum of *Eleven Thousand Five Hundred and Ten Pounds, Nine Shillings and Four Pence*, Current Money, due from the Publick of this Province to the several Creditors thereof, as appears by the Journal of Accounts Assented to by both Houses of this present Session of Assembly, For the Discharge and Payment whereof,

Preamble.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the same Sum of *Eleven Thousand Five Hundred and Ten Pounds, Nine Shillings and Four Pence*, together with a Salary of *Five Pounds per Cent.* thereon, for Collection to the several Sheriffs who shall Collect and Pay the same, shall be Assessed on and Levied from the several Taxable Inhabitants of this Province, by an equal Levy or Assessment this Year.

Public
Debts to be
discharg'd
this Year.

And be it further Enacted by the Authority aforesaid, That the Honourable *Benjamin Tasker*, Esq; *George Plater*, Esq; *Col. James Hollyday*, *Col. Charles Hammond*, *Col. Levin Gale*, and *Samuel Chamberlain*, Esq; of the Upper House, and *Mr. Philip Hammond*, *Dr. Charles Carroll*, *Maj. Edward Sprigg*, *Mr. Vachel Denton*, *Mr. Henry Hall*, and *Mr. Thomas Sheredine*, of the Lower House of Assembly, or the major Part of them, be, and are hereby Appointed, a Committee to meet together at the City of *Annapolis*, on the Second Tuesday of *October* next, and there to Assess and Apportion the aforesaid Sum of Money, with the Salary aforesaid thereon, by even and equal Portions, on the Taxable Inhabitants

A Com-
mittee ap-
pointed to
Assess and
Apportion
the Public
Levy.

Session Laws aforesaid, and particularly to order and direct how much thereof shall be Levied and Collected by the Sheriff of each respective County, and to what Persons being Publick Creditors the respective Sheriffs shall Pay the same, and a fair Journal of all and singular their Proceedings in the Premises to make and deliver to the Clerk of the Lower House of Assembly, to be laid before the next General Assembly thereafter to be held for this Province.

See an Act made in April, 1740. And whereas by an Act of Assembly, entituled, *An Act for Issuing and Paying out of the Office of the Commissioners or Trustees for Emitting Bills of Credit established by Act of Assembly the Sum of Two Thousand Five Hundred and Sixty Two Pounds Ten Shillings Current Money in Bills of Credit, to be applied for the Encouragement of Persons voluntarily Inlisting themselves in his Majesty's Service*, It is Enacted, That one Third part of the said Sum of *Two Thousand Five Hundred Sixty Two Pounds Ten Shillings*, or so much thereof as should be applied to the Uses in the said Act mentioned, should be Assessed on the Taxable Inhabitants of this Province in the Publick Levy this Year:

One Third of the Money laid out by said Act to be Assess'd this Year. *Be it Enacted by the Authority aforesaid*, That the said Committee, or the major Part of them, shall Settle and Assess one Third Part of so much of the last mentioned Sum of Money, as shall to them appear to have been applied according to the Direction of the said Act of Assembly, on the Taxable Inhabitants aforesaid, by equal Portions, together with, and in the same manner as the aforesaid first mentioned Sum of Money is hereby before directed to be Assessed and Apportioned.

p. 14 *And be it further Enacted*, That the several and respective Inhabitants of this Province, who shall be Charged with the Payment of any Part of the aforesaid *Eleven Thousand Five Hundred and Ten Pounds, Nine Shillings, and Four Pence*, and the Salary aforesaid thereon, shall not be subject to any Execution either of their Persons, Goods or Chattels, for any Part of the same Sum last mentioned, before the last Day of *June* in the Year of our Lord *Seventeen Hundred and Forty Two*, provided that such Persons or Inhabitants shall not be entitled to the Benefit of any of the Acts for superseding Executions for any part of the said Sum by them to be paid: And that the said several Sheriffs shall be obliged to Account with the several Creditors of the Publick for the Sums mentioned in the Journal aforesaid, on or before the first Day of *August* then next ensuing.

Taxables not to be executed till June. Sheriffs to pay by the 1st of Aug.

To observe the Directions of the Committee *And be it further Enacted*, That the several and respective Sheriffs aforesaid, shall and are hereby obliged to Collect and Levy so much of the aforesaid Sum of Money, as to them shall respectively by the Committee aforesaid be appointed, and the same to Pay to the several Persons, and in such Proportion, as by the said Committee, or the major Part of them, shall be Directed.

PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY OF MARYLAND

*At a Session held at Annapolis September 21–October 29. 1742
Being the First Session of the Assembly, Elected in 1742*

CHARLES CALVERT, LORD BALTIMORE
Proprietary

THOMAS BLADEN
Governor

PROCEEDINGS THE UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 21st day of Septem^r in the twenty Eighth Year of his Lordships Dominion Annoq Domini 1742

Present

His Excellency Thomas Bladen Esq^r Governor

The hoñble	{	Benjamin Tasker Esq ^r	}	Cot James Hollyday
		Philip Lee Esq ^r		Cot Charles Hammond
		George Plater Esq ^r		Cot James Harris
		Edmund Jenings Esq ^r		Philip Thomas Esq ^r

Calvert
Paper
No. 737
September
21 [See also
U. H. J.
Liber 33]
p. 1

Mess^{rs} Sprigg and Carrol from the Lower house acquaint his Excellency that there is a sufficient Number of Members met to make a House and wait his Excellencys Commands

George Plater Esq^r and Cot Hollyday are sent to the Lower house to administer the Oaths to the Government appointed to be taken by Act of Assembly of this Province to the several Members of that house and Ordered that the Clerk of this house attend them who administred the said Oaths to the several Members then present and they all subscribed the Oath of Abjuration and Test

U. H. J. Benjamin Tasker and Edmund Jenings Esq^r are sent to acquaint the Lower house that his Excellency requires their Attendance in the Upper house immediately

The Lower house attend and his Excellency orders them to return to their house and make Choice of a Speaker

Mess^{rs} Calder and Colville from the Lower house acquaint his Excellency their House hath made Choice of a Speaker

Philip Lee Esq^r and Co^t Hammond are sent to the Lower House to inform them His Excellency requires their Attendance in the Upper house to present their Speaker for his Approbation

p. 2 The whole house attend and present Co^t Edward Sprigg as their Speaker with which Choice his Excellency declares himself well pleased, and acquaints the Members of Both Houses of Assembly, he had a Speech from the Rt. honble the Lord Baltimore directed to them, and which He had ordered the Clerk of the Council to read

His Lordships Speech to Both Houses of Assembly of the Province of Maryland

Gentlemen of the Upper and Lower houses of Assembly
Baltimore

The Happiness of the Province of Maryland has always been the Chief Object of my Attention, and I can with great Sincerity affirm, that I have omitted no Opportunity of testifying my Zeal to promote it, having ever been, in my Situation here, attentive to the Advancement of Trade in general, and particularly in that Branch in which You are more nearly concerned, and that nothing can give me a more Sensible Pleasure, than to be able any Way to contribute to the Welfare and Prosperity of his Majestys Subjects in Maryland

It is great Satisfaction to me, that his Majesty has been graciously pleased to approve of M^r Bladen to be your Governor, who, I am confident, will cultivate by all Means that good Understanding, which is so necessary for the General Interest of the Common Weal, and I am perswaded you will not be wanting in your different Stations, to concur in the carrying on such Measures, as are consistent with the true Interest of the Province, in which you may always be assured of my ready Concurrence

p. 3 His Excellency makes the following Speech

Gentlemen of the Upper and Lower houses of Assembly

The Honour I have of being appointed Governor of this Province, is the more agreeable to me, as It is the Country where I was born, and for whose Interest and Happiness my sincerest and best Wishes have never been wanting

The little time since my Arrival makes it impossible for me to be apprised of many particulars, which may be proper to be recommended to your Consideration, but I hope the War Our Sovereign is engaged in, and the many Commotions in Europe, which threaten

a more general Disturbance, added to a Discovery of the ill Intentions U. H. J. of some Nations of Indians towards us, will justify me in pressing it to you, to make such a Provision for Arms and Ammunition, as may be sufficient for Our Security.

Gentlemen

As I make no Doubt of your Readiness to promote the Safety and Welfare of the Province, so you may depend upon my hearty Concurrence in any Measure tending to that End. consistent with my Duty to his Majesty and the Trust reposed in me by his Lordship

Mess^{rs} Dulany and Wootton from the Lower house acquaint his Excellency that their house hath made Choice of M^r Michael Macnemara for their Clerk, and hopes for his Excellencys Approbation to whom his Excellency is pleased to declare that He approves of their Choice

Mess^{rs} Calder and Thomas from the Lower house attend with M^r Michael Macnemara Clerk of the said house in Order to see him qualified, who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test P. 4 according to the Directions of the said Act and also takes the usual Oath of Office and then withdrew

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 22^d Septem^r 1742

Sept. 22

This house met again according to Adjournment

Present as Yesterday

Mess^{rs} Calder and Sheredine attend with M^{rs} Waughop Caswall, Wilkinson, Chesley, Scott, Wilson and Lloyd Members of the Low : House in order to see them qualified who take the Oaths to the Government appointed to be taken by Act of Assembly and subscribe the Abjuration and Test according to the Directions of the said Act and then withdrew

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess^{rs} Sheredine and Hall from the Lower house attend with M^r Joseph Hall and M^r Weemes two of the Members elected for Calvert County in Order to see them qualified, who take the Oaths to the Gov^t appointed to be taken by Act of Assembly and subscribe the Abjuration and Test & then withdrew

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Sept. 23

Thursday Morning 23^d Septem^r 1742

This house met again according to Adjournment

Present as yesterday with the Addition of Col Gale

Benjamin Tasker Esq^r attended by the Members of this House presents to his Excellency the Governor the Address of this House which follows in these Words

p. 5 To His Excellency Thomas Bladen Esq^r Governor & Comm^r in Chief in and over the Province of Maryland

The humble Address of the Upper House of Assembly
May it please Your Excellency

We beg Leave to congratulate your Excellency, on your safe Arrival to the Government of this your native Country, & to return you Our hearty and sincere thanks for the benevolent and affectionate Sentiments you have been pleased to express for the Interest and Happiness of it; and We embrace this Opportunity to testify Our grateful Sense of his Lordships favour and kind Regard towards his Province, in appointing a Gentleman to govern, who was born among us

We are willing to shew Our Readiness to concur with all proper Measures which may tend towards Our Security, and particularly with Regard to the War Our Sovereign is engaged in, and the Discovery of the ill Intentions of some Nations of Indians towards Us; and as We shall always have a due Regard to the Interest of his Lordship, so We are fully satisfied, that His true Interest & that of his Tenants are inseperable: And We hope from that Consideration, such a good Understanding and Harmony amongst us, as may render your Administration of the Government easy to yourself, satisfactory to his Lordship, and advantageous to the whole Province
Benj^a Tasker, President

Mess^{rs} Lloyd and Thomas from the Lower House attend with Mess^{rs} King, Gale, Stoughton and Martin members elected for Somerset County, Mess^{rs} Hindman and Ennals two of the Members elected for Dorchester County, and Mess^{rs} Nicholas Goldsborough and John Goldsborough two of the Members elected for Talbot County in order to see them qualified, who take the Oaths to the Government appointed to be taken by Act of Assembly, and subscribe the Abjuration and Test and then withdrew

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess^{rs} Hindman and Ennals from the Lower house attend with M^r Lecompte a Member elected for Dorchester County in Order to

see him qualified, who takes the Oaths to the Governm^t appointed to U. H. J.
be taken by Act of Assembly, and subscribes the Abjuration and
Test and then withdrew

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 24 Septem^r 1742

Sept. 24

This house met again according to Adjournment

Present as Yesterday

Mess^{rs} Weemes and Hall attend with Mess^{rs} Smith and Broome
two of the Members elected for Calvert County in order to see them
qualified who take the Oaths to the Government appointed to be
taken by Act of Assembly and Subscribe the Abjuration and Test
and then withdrew

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 25 Septem^r 1742

Sept. 25
p. 7

This house met again according to Adjournment

Present as Yesterday with the Addition of Daniel Dulany Esq^r

His Excellency is pleased to communicate his Answer to the
Address of this house in the following Words

Gentlemen of the Upper House of Assembly

I am obliged to you for your kind Address, and shall endeavour
to improve your good Dispositions towards me, by embracing every
Opportunity of serving the Province to the utmost of my Power

Thomas Bladen

A Message from the Lower house by M^{rs} Sheredine & Pemberton

By the Lower house of Assembly 25 Septem^r 1742

May it please Your Honours

This house hath appointed Co^t Colvill, Captⁿ Caswall M^r Shere-
dine, M^r Pemberton and M^r James Weemes, a Committee from
this house to inspect the Accounts and Proceedings of the Commit-
tee for emitting Bills of Credit established by Act of Assembly, and
desire your Honour to appoint One or more of your House to join
in Committee

Signed p Order M Macnemara Ct Lo. H.

Adjourned till Monday Morning ten of the Clock

U. H. J.
Sept. 27

Monday Morning 27 Septem^r 1742

This house met again according to Adjournment

Present

The hon ^{ble}	{	Benjamin Tasker Esq ^r	}	Co ^t Gale
		Edmund Jenings Esq ^r		Co ^t Harris
		Co ^t Hollyday		Daniel Dulany Esq ^r
		Co ^t Hammond		

p. 8 The following Message is sent by Daniel Dulany Esq^r

By the Upper House of Assembly 27 Septem^r 1742

Gentlemen

This house hath appointed Co^t Gale to join the Members named by your House as a Committee to inspect the Accounts & proceedings of the Comm^{rs} of the Paper Currency Office

Signed p Order John Ross Cl Up H.

A Bill from the Lower house by Co^t King and Eleven Others Entituled An Act to enforce the Collection and Payment of the Publick Charge of this Province pursuant to an Act of Assembly Entituled An Act for the Assesment and Payment of the publick Charge of this Province made at a Session of Assembly begun and held at the City of Annapolis the 26th day. of May Anno Domini 1741 thus Endorsed

By the Lower house of Assembly 27th Septem^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 27 Septem^r 1742

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house & ordered to lye on the Table

A Bill from the Lower house by M^{rs} Smith & Hindman Entituled an Act for reviving an Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the prosecution of Suits at Law and for reviving and continuing the Supplementary Act thereto thus Endorsed

By the Lower House of Assembly 24 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

p. 9 By the Lower house of Assembly 25 Septem^r 1742

Read the second time & will pass

Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this house & Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This house met again according to Adjournment

Present as in the Morning with the Addition of Samuel Chamberlain & Philip Thomas Esq^{rs}

Mess^{rs} Calder and Pearce attend with M^r George a Member elected for Cecill County and Captⁿ Gordon a Member elected for the City of Annapolis in order to see them qualified, who take the Oaths to the Government appointed to be taken by Act of Assembly and subscribe the Abjuration and Test & then withdrew

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 28 Septem^r 1742

Sept. 28

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by Mess^{rs} Worthington & Martin Entituled An Act reviving an Act of Assembly of this Province Entituled An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace thus Endorsed

By the Lower House of Assembly 24 Septem^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 27 Septem^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table p. 10

Mess^{rs} Worthington & Hall from the Lower house attend with M^r Philip Hammond a Member elected for Ann Arundel County in Order to see him qualified, who takes the Oaths to the Government appointed to be taken by Act of Assembly of this Province & subscribes the Abjuration & Test and then withdrew

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess^{rs} Stoughton and Weemes Ent^d An Act for issuing Writts of Replevin out of the County Courts of this Province thus Endorsed

By the Lower house of Assembly 27 Septem^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

U. H. J. By the Lower house of Assembly 28 Septem^r 1742

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house & Ordered to lye on the Table

Read the second time the Bill Ent^d An Act to enforce the Collection and Payment of the Publick Charge of this Province pursuant to an Act of Assembly Ent^d An Act for the Assesment and Payment of the Publick Charge of this Province made at a Session of Assembly begun & held at the City of Annapolis the 26th Day of May Anno Domini 1741, passed & sent by Samuel Chamberlain & Philip Thomas Esq^{rs}

p. 11 Adjourned till to Morrow Morning ten of the Clock

Sept. 29

Wednesday Morning 29 Septem^r 1742

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entitled An Act for reviving an Act of Assembly Entitled An Act for relieving the Inhabitants of this province from some Aggrievances in the Prosecution of Suits at Law and for reviving and continuing the Supplementary Act thereto passed, and sent by Co^t Harris

Read the second time the Bill Entitled an Act reviving an Act of Assembly of this province Entitled An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace, passed, and sent by Col Hammond

Read the Petition of the Rector Vestrymen and Church Wardens of St Mary Ann Parish in Cecil County praying Leave to bring in a Bill enabling the Justices of the same County to levy on the taxable Inhabitants of the said Parish the sum of Eight hundred Pounds for building a Brick Church, referred to the Consideration of the Lower house of Assembly and sent by Co^t Hammond

A Bill from the Lower house by M^r Hammond and five Others Entitled An Act for the Advancement of Justice thus Endorsed

By the Lower house of Assembly 29 Septem^r 1742

Read the first & second time by an Especial Order & will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house & Ordered to lye on the Table

An Engrossed Bill from the Lower house by M^{rs} Goldsborough & Chesley Entitled An Act to enforce the Collection & Payment
p. 12 of the Publick Charge of this Province pursuant to an Act of Assembly Entitled an Act for the Assessment and Payment of the Publick Charge of this Province made at a Session of Assembly begun and held at the City of Annapolis the 26th day of May Anno Domini 1742 thus Subscribed

28 Septem^r 1742

U. H. J.

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo Ho.

Read and assented to by this house & Ordered to be so subscribed
the Paper Bill so endorsed is sent by George Plater Esq^r

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 30th Septem^r 1742

Sept. 30

This house met again according to Adjournment

Present as Yesterday except Edmund Jenings Esq^r

A Bill from the Lower house by Mess^{rs} Stoughton & Griffith
Entituled an Act to revive an Act of Assembly of this Province
Entituled An Act for the better Relief of poor Debtors thus Endorsed

By the Lower house of Assembly 28 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower House of Assembly 29 Septem^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

An Engrossed Bill from the Lower House by Mess^{rs} Hall and
Gresham Entituled An Act for reviving an Act of Assembly Enti-
tuled An Act for relieving the Inhabitants of this Province from p. 13
some Aggrievances in the Prosecution of Suits at Law and for
reviving and continuing the supplementary Act thereto thus sub-
scribed.

29 Septem^r 1742

Read and assented to by the Lower house of Assembly

Signed p Order M. Macnemara Ct Lo H.

Read and assented to by this house & ordered to be so subscribed

An Engrossed Bill from the Lower house by M^{rs} Ennals & Gres-
ham Entituled An Act reviving an Act of Assembly of this Province
Entituled An Act for the speedy Recovery of small Debts out of
Court before a single Justice of the Peace thus subscribed

29 Septem^r 1742

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house & ordered to be so subscribed

Samuel Chamberlain and Daniel Dulany Esq^{rs} are sent to the
Lower House to acquaint the Speaker that His Excellency requires
him and the rest of the Members of that House to attend him imme-
diately in the Upper House to see the Bill Entituled An Act to

U. H. J. enforce the Collection and Payment of the Publick Charge of this Province &c receive the Assent

The whole House attend and by their Speaker Present to his Excellency the Bill aforementioned, which was passed into a Law, signed by his Excellency the Governor, and then the House withdrew

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

October 1

Friday Morning 1st Octo^r 1742

This house met again according to Adjournment

Present as Yesterday

p. 14 A Bill from the Lower House by M^r Smith and Eleven more Entituled An Act for the Tryal of all Matters of fact in the several Counties where they have arisen or shall arise thus Endorsed

By the Lower House of Assembly 27 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 1 Octob. 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

A Bill from the Lower house by M^r Wootton and four Others Entituled An Act for enlarging the Jurisdiction of the County Courts within this Province thus Endorsed

By the Lower house of Assembly 30 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p order M Macnemara Ct Lo H.

By the Lower House of Assembly 1st Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

A Bill from the Lower house by M^r Wilson and four Others Entituled a Supplementary Act to the Act Entituled An Act for the Relief of Debtors and ascertaining the Manner of Tenders in Tobacco and to the supplementary Act thereto thus Endorsed

By the Lower House of Assembly 30 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 1 Oct. 1742

U. H. J.

Read the second time and will pass

p. 15

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

Read the Petition of sundry the Inhabitants of Prince Georges County praying Leave to bring in a Bill for erecting and laying out a Town in said County at or near the Garrison Landing on the South side of the Eastern Branch of Patowmack referred to the Consideration of the Lower house of Assembly & sent by Col Hammond

Read the second time the Bill Entituled An Act for the Advancement of Justice, and passed with the following Amendm^{ts} Page 5 Line 7th for, Two, put Three, Line 17th for Two, put, Three, and sent by Samuel Chamberlain Esq^r

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess^{rs} Gordon and Worthington from the Lower house attend with M^r Benjamin Tasker jun^r, a Member elected for the City of Annapolis in the Room of Daniel Dulany Esq^r in Order to see him qualified, who takes the Oaths to the Government appointed to be taken by Act of Assembly, and subscribes the Abjuration and Test and then withdrew

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 2^d Octo^r 1742

October 2

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by M^{rs} Waughop & Lecompte Entituled An Act to prevent the Exportation of Indian Corn & Wheat for the time therein limited thus Endorsed

p. 16

By the Lower house of Assembly 28 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 29 Septem^r 1742

Read & committed for Amendments

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 1 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Adjourned till Monday Morning ten of the Clock

U. H. J.
October 4

Monday Morning 4 Octo^r 1742

This house met again according to Adjournment

Present

Benjamin Tasker Esq ^r	}	Cot Hollyday
George Plater Esq ^r		Cot Hammond
Edmund Jenings Esq ^r		Cot Harris

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq^r

Read the Petition of Francis Tate, W^m Willoughby James George Russell and John Gouldsmith of Somerset County, John Mitchell of Talbot County, Garrett Corbett, Solomon Trayner of Cecil County, Katherine Brett George Jenkins Anthony Hill Susannah Murray, John Lumley and Honour Husall of Ann Arundel County & Robert
p. 17 Evans of Prince Georges County Prisoners for Debt in the several County Goals aforementioned, Referred to the Consideration of the Lower house of Assembly & sent by Edmund Jenings Esq^r

Read the first time the Bill to prevent the Exportation of Indian Corn and Wheat for the time therein limited, and Ordered to lye on the Table.

Read the first time the Bill for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise, Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

October 5

Tuesday Morning 5 October 1742

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled An Act to prevent the Exportation of Indian Corn and Wheat for the time therein limited and will pass with the following Amendments: The Words, or Wheat, in the Title to be left out, Or Wheat, in 6th, 8th & 13th Lines of the first Page to be left out; the Words, and for Every Bushel of Wheat so taken on board as af^d in Order to be exported the sum of five shillings Current Money af^d, in 2^d & 3^d Lines of 2^d Page be left out; the Words or Wheat, in 6th 8th & 12th Lines of the same Page be left out; the Words, Or Wheat or Both, in 1st Line of 3^d Page be left out, the Words or Wheat in 3^d 6th & 9th Lines of the same Page be left out: Instead of the Words, from and after the 20th day of November next in 7th Line of the same Page, insert the following Words; between the 20th day of Novem^r next and the first day of

July which shall be in the year of Our Lord 1743 The Words, or U. H. J. Wheat, in 1st 3^d & 12th Lines of 4th Page to be left out. The Words p. 18 or Wheat in 5th & 6th Lines of 5th Page to be left out: between the Words, Actions, and, shall, in 4th Line of the last page insert the following; Notwithstanding the Expiration of the time from the said 20th of Novem^r to 1st day of July following, and the Words, by or expire with this Act, in 5th Line of the same Page to be left out.

Signed p Order J Ross Ct Up H.

sent by Col Hollyday

Adjourned till two of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 6 October 1742

October 6

This house met again according to Adjournment

Present as Yesterday with the Addition of Samuel Chamberlain Esq^r

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Sprigg & Hindman Entitled a supplementary Act to the Act Ent^d an Act for repairing the Damages already sustained in the Records of the Land Secretarys Commissarys & County Court Offices and for Security of the same Records for the future thus Endorsed

By the Lower House of Assembly 4 Octo^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 5th Octo^r 1742

Read the second time and will pass

p. 19

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

An Engrossed Bill from the Lower house by Mess^{rs} Martin and Griffith Entitled An Act for the Advancement of Justice thus subscribed

5 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed

U. H. J. A Bill from the Lower house by M^{rs} Smith and Wilkinson Ent^d
An Act to prevent the ill Practice of Sheriffs in the collecting and
Payment of the Publick & County Levies thus Endorsed

By the Lower house of Assembly 2^d Oct^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Cl. Lo H.

By the Lower house of Assembly 6 Oct^r 1742

Read the second time & will pass

Signed p Order M. Macnemara Cl Lo H.

Read the first time in this house & Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

October 7

Thursday Morning 7 Oct^r 1742

This house met again according to Adjournment

Present as Yesterday with the Addition of Daniel Dulany Esq^r

p. 20 Read the petition of the Rector Vestrymen Church Wardens &
Others Inhabitants of S^t Paul's Parish in Baltimore County praying
Leave to bring in a Bill to raise a Sum of Money to build a Chappel
of Ease in the said Parish referred to the Consideration of the Lower
house of Assembly & sent by Sam Chamberlain Esq^r

Read the petition of the Back Inhabitants of Prince Georges
Parish in Prince Georges County praying Leave to bring in a Bill
to divide the said Parish, Ordered that the Petit^{rs} give the present
Incumbent Notice of this Application

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

October 8

Friday Morning 8 Oct^r 1742

This house met again according to Adjournment

Present as yesterday

Read the Petition of the Freeholders and Others Inhabitants of
Baltimore Town in Baltimore County praying Leave to bring in a
Bill to enlarge the said Town and to build a Bridge over Jones's Falls
in said County

Read the Petition of several of the Back Inhabitants of Prince
Georges County praying Leave to bring in a Bill to divide the said

County, referred to the Consideration of the Lower house of Assem- U. H. J.
bly & Both sent by Sam^l Chamberlain Esq^r

Read the second time the Bill Ent^d An Act to revive An Act of
Assembly of this Province Ent^d An Act for the better Relief of poor
Debtors, passed & sent by Co^t Harris.

Adjourned till 3 of the Clock in the Afternoon

p. 21

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning with the Addition of George Plater Esq^r

Read the second time the Bill Entituled An Act to prevent the ill
Practices of Sheriffs in the Collecting and Payment of the Publick
& County Levies and passed with the following Amendments In 9th
Line of 4th Page between the Words, Oath, and, to, put these Words
to the best of his Knowledge, in 9th Line of Page 5th, instead of the
Words, of some certain Place to be therein mentioned, in every such
District, where, put, that, and in the Line following, leave out the
Words, on the Saturday, and insert, at the Court house on a certain
Day to be in the said Notice mentioned: And the Words, within
the District where such Inhabitant, shall live, in 7th & 8th Lines of
Page 6th to be left out. Signed p Order Jn^o Ross Ct Up H.
sent by Co^t Hammond

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 9 Octo^r 1742

October 9

This house met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled An Act for the Tryal of all
Matters of fact in the several Counties where they have arisen or
shall arise, passed, and sent by Co^t Hollyday

Read the Petitions of John West, Robert Brashieres, Paul Busey,
William Clements, Edmund Melton, Samuel Peck Robert Walmsley
and Thomas Brown languishing Prisoners for Debt in several of the p. 22
County Goals of this Province referred to the Consideration of the
Lower house of Assembly & sent by Samuel Chamberlain Esq^r

Adjourned till Monday Morning ten of the Clock

Monday Morning 11 Octo^r 1742

October 11

This house met again according to Adjournment

Present

The ho ⁿ ble	{	Benjamin Tasker Esq ^r	{	Co ^t Levin Gale
		George Plater Esq ^r		Samuel Chamberlayne Esq ^r
		Edmund Jenings Esq ^r		Daniel Dulany Esq ^r
		Co ^t James Hollyday		

U. H. J. Read the Petition of sundry the Inhabitants of Somerset County praying Leave to bring in a Bill to divide the said County & that the Sea Board side thereof may be erected into a County in such Manner as shall be thought proper; referred to the Consideration of the Lower house of Assembly and sent by Col Gale

A Bill from the Lower house by Mess^{rs} Hyland & Hindman Ent^d An Act enabling the Justices of Cecil County to levy on the taxable Inhabitants of St Mary Anns Parish in the County af^d the sum of Eight hundred Pounds thus Endorsed

By the Lower house of Assembly 8 Octo^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 11 October 1742

Read the second time & will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

p. 23 An Engrossed Bill from the Lower house by M^r Pemberton & Chesley Entitled An Act to revive an Act of Assembly of this Province Ent^d An Act for the better Relief of poor Debtors, thus subscribed

11 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed.

A Bill from the Lower house by M^{rs} Hindman & Hyland Entitled An Act to oblige Attorneys to prove their Lists of fees before they obtain Execution for the same, thus subscribed

By the Lower house of Assembly 8 October 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 11 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo Ho

Read the first time in this house & Ordered to lye on the Table

An Engrossed Bill from the Lower house by Mess^{rs} Lloyd & Tasker Entitled An Act to prevent the Exportation of Indian Corn for the time therein limited, thus subscribed

11 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq^r

Adjourned till to Morrow Morning ten of the Clock

p. 24

Tuesday Morning 12 Octo^r 1742

October 12

This house met again according to Adjournment

Present as Yesterday with the Addition of Co^t Hammond
Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Petition of John Pollard of Dorchester County praying Leave to bring in a Bill to repeal an Act of Assembly Entituled An Act for Relief of Tobias Pollard and John Pollard of Dorchester County Gent made at a Session of Assembly held at the City of Annapolis Anno 1711; Rejected

Read the Petition of John Digges of Prince Georges County Gent praying Leave to bring in a Bill to exempt such Hands as are actually employed about his Copper Works from the Payment of Levies, from training or mustering, and clearing the high Ways, for such a term of Years as shall be thought reasonable Referred to the Consideration of the Lower house of Assembly & sent by Philip Thomas Esq^r

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 13 Octo^r 1742

October 13

This house met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower House by Mess^{rs} Hall and Hammond Entituled An Act to prevent the ill Practices of Sheriffs in the Collecting & Payment of the Publick & County Levies thus subscribed

12 Octo^r 1742

Read & assented to by the Lower house of Assembly

p. 25

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed
Adjourned till 3 of the Clock in the Afternoon

U. H. J.

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in Morning

Read the Petition of John Johnson of the City of Annapolis Shipwright praying to be relieved against an Act of Assembly passed in favour of Captain Robert Gordon of the said City for the Lands & Premises mentioned in the said Petition, Rejected

Read the Petition of the Rector Vestrymen & Church-wardens of St Anns Parish in Ann Arundel County praying Leave to bring in a Bill empowering them to dispose of certain Seats in the Gallery of the Parish Church; Read also the Petition of Ashbury Sutton & Others praying Leave to bring in a Bill to erect a New Gallery in the said Parish Church; the foregoing Petitions were by this house referred to the Consideration of the Lower house of Assembly, and were also endorsed, and signed by his Excellency the Governor as follows Having perused the within Petition I consent on behalf of the Right hoñble the Lord Proprietary as Ordinary to the passing of such an Act as is prayed for; sent by Edmund Jenings Esq^r

Adjourned till to Morrow Morning ten of the Clock

October 14

Thursday Morning 14 Octo^r 1742

This house met again according to Adjournment

Present as Yesterday

A Bill from the Lower house by M^r Smith & Twelve Others Entitled An Act for Limitation of Officers fees thus Endorsed

p. 26 By the Lower house of Assembly 29 Septem^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 14 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the Petition of Charles Gannon a languishing Prisoner for Debt in Talbot County Goal, referred to the Consideration of the Lower house of Assembly & sent by Samuel Chamberlain Esq^r

Read the second time the Bill Entituled An Act enabling the Justices of Cecil County to levy on the taxable Inhabitants of St Mary Anns Parish in the County af^d the sum of Eight hundred Pounds, passed & sent by Co^t Hammond

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 15 Octo^r 1742

October 15

This house met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled An Act to oblige Attorneys to prove their Lists of fees before they obtain Executions for the same, and will not pass, sent by George Plater Esq^r

Read the Petition of several of the Back Inhabitants of Prince Georges County praying An Act may pass for dividing the said County according to the Limits described in the said Petition, Referred to the Consideration of the Lower house of Assembly and sent by Daniel Dulany Esq^r

p. 27

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 16 Octo^r 1742

October 16

This house met again according to Adjournment

Present as yesterday

Read a second Petition of several the Back Inhabitants of Prince Georges County praying an Act may pass for dividing the said County according to the Limits described in their Petition; Read the Petition of several of the Back Inhabitants Parishioners of Prince Georges Parish in Prince Georges County, praying an Act may pass to have their Parish divided, the Consent of the present Incumbent thereto appearing to this house; Read the Petition of the Rector Vestrymen Churchwardens of St Anns Parish in Ann Arundel County praying Leave to bring in a Bill to empower them to lease Certain Lotts in the City of Annapolis for the Uses contained in the said petition; Read the Petition of James Martin of Somerset County Gentⁿ praying Leave to bring in a Bill to confirm his Title to a Lott of Land in Snow Hill Town in Somerset County notwithstanding the Deed for the same was not recorded in time; Referred

U. H. J. to the Consideration of the Lower house of Assembly and sent by Philip Thomas Esq^r

Adjourned till Monday Morning ten of the Clock

October 18
p. 28

Monday Morning 18 Octo^r 1742

This house met again according to Adjournment

The ho ⁿ ble	{	Benjamin Tasker Esq ^r	{	Co ^t Levin Gale
		George Plater Esq ^r		Co ^t James Harris
		Edmund Jenings Esq ^r		Samuel Chamberlayne
		Co ^t James Hollyday		Daniel Dulany Esq ^r
		Co ^t Charles Hammond		

A Bill from the Lower house by Mess^{rs} Magruder & Wootton Entituled An Act for laying out and erecting a Town on the South side of the Eastern Branch of Patowmeck River in Prince Georges County near a Place called Garrison Landing thus Endorsed

By the Lower house of Assembly 16 Oct^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Cl Lo H.

By the Lower house of Assembly 18 Oct^r 1742

Read the second time and will pass

Signed p Order M Macnemara Cl Lo H.

Read the first time in this house & Ordered to lye on the Table

Read the second time the Bill Entituled a supplementary Act to the Act Entituled An Act for repairing the Damages already sustained in the Records of the Land Secretarys Commissarys & County Court Offices and for Security of the same Records for the future; passed & sent by Co^t Harris

Read the second time the Bill Ent^d a supplementary Act to the Act for the Relief of Debtors and ascertaining the Manner of Tenders in Tobacco and to the supplementary Act thereto; and will not pass, sent by Samuel Chamberlayne Esq^r

Read the first time the Bill Entituled An Act for Limitation of Officers fees; Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

p. 29 This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq^r

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 19 Octo^r 1742

U. H. J.
October 19

This house met again according to Adjournment

Present as Yesterday except Co^t Hammond

An Engrossed Bill from the Lower house by M^{rs} Calder and Waughop Entitled An Act for the Tryal of all Matters of fact in the several Counties where they have arisen or shall arise thus subscribed

19 October 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house & Ordered to be so subscribed
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entitled An Act for laying out and erecting a Town on the south side of the Eastern Branch of Patowmeck River in Prince Georges County near a Place called Garrison Landing, passed with the following Amendments; in 14th Line of 5th Page between the Words appoint, and, to, insert the following Words, in Case the said Surveyor shall neglect or refuse to attend, and in 19th Line of the same Page between the Words, af^d & shall, put the following Words, in Case the said Surveyor shall neglect or refuse to attend; & sent by Co^t Hollyday

A Bill from the Lower house by Mess^{rs} Sheredine and Caswell p. 30 Entitled An Act to enable the Justices of Baltimore County Court to assess and levy on the taxable Inhabitants of St Paul's Parish in the said County a Quantity of Money for the uses and Purposes therein mentioned and also to divide the said Parish and for erecting Part thereof into a New One; thus Endorsed

By the Lower house of Assembly 18 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 19 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table
Adjourned till to Morrow Morning ten of the Clock

U. H. J.
October 20

Wednesday Morning 20 Octo^r 1742

This house met again according to Adjournment

Present as Yesterday with the Addition of Co^t Hammond

A Bill from the Lower house by Mess^{rs} Colvill & Smalwood Entituled An Act for raising a Duty of three half Pence Sterling p^{er} hh^d on all Tobacco exported out of this Province for the Use of the Governor thus Endorsed

By the Lower house of Assembly 15 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p^{er} Order M Macnemara C^t Lo H.

By the Lower house of Assembly 19 Octo^r 1742

Read the second time and will pass

Signed p^{er} Order M Macnemara C^t Lo H.

p. 31 Read the first time in this house & Ordered to lye on the Table

A Bill from the Lower house by Mess^{rs} Gordon & George Entituled An Act for raising three half pence Sterling for Every hh^d of Tobacco exported out of this Province for Payment of an Agent in Great Britain for the service of this Province, thus Endorsed

By the Lower house of Assembly 19 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p^{er} Order M Macnemara C^t Lo H.

By the Lower house of Assembly 20 Octo^r 1742

Read the second time and will pass

Signed p^{er} Order M Macnemara C^t Lo H.

Read the first time in this house & ordered to lye on the Table

An Engrossed Bill from the Lower house by M^{rs} Hyland and Harrison Entituled An Act enabling the Justices of Cecil County to levy on the taxable Inhabitants of S^t Mary Anns Parish in the County and the sum of Eight hundred Pounds, thus subscribed

20th October 1742

Read and assented to by the Lower house of Assembly

Signed p^{er} Order M Macnemara C^t Lo H.

Read & assented to by this house & Ordered to be so subscribed

An Engrossed Bill from the Lower house by Mess^{rs} Sprigg and Hindman Entituled A supplementary Act to the Act Entit^d an Act for the repairing the Damages already sustained in the Records of the Land Secretarys Comissarys and County Court Offices and for security of the same Records for the future; thus subscribed

20th Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p^{er} Order M Macnemara C^t Lo H.

p. 32 Read & assented to by this house & Ordered to be so subscribed

A Bill from the Lower house by Mess^{rs} Martin & Griffith Entituled An Act for laying out the Town a new commonly called Snowhill Town in Somerset County; thus Endorsed U. H. J.

By the Lower house of Assembly 15 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara C^t Lo H.

By the Lower house of Assembly 19 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara C^t Lo H.

Read the second time the Bill Entituled An Act for enlarging the Jurisdiction of the County Courts within this Province; and will not pass; sent by C^t Gale

Read the second time the Bill Entituled An Act for Limitation of Officers fees; and will not pass; sent by C^t Hammond

Adojurned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower house by Mess^{rs} King & Martin Entituled An Act to impower and direct the Clerk of Somerset County to enter and record among the said County Records a Deed of Bargain and Sale from John Martin to James Martin of a Lott of Land therein mentioned; thus Endorsed

By the Lower house of Assembly 20 Octo^r 1742

Read the first & second time by an Especial Order & will pass

Signed p Order M Macnemara C^t Lo H.

Read the first and second time in this house by especial Order p. 33 passed & sent by Samuel Chamberlain Esq^r

Read the first time the Bill prepared in this house Entituled An Act to enable Caleb Dorsey of Ann Arundel County Gentⁿ to sell & dispose of forty nine Acres of Land part of the Estate of Mary Woodward and Elizabeth Woodward Infants, Ordered to lye on the Table

Read the second time by Especial Order the Bill Entituled an Act for laying out the Town a new commonly called Snowhill Town in Somerset County, passed & sent by George Plater Esq^r

The following Message is sent by C^t Hollyday

By the Upper house of Assembly 20 Octo^r 1742
Gentlemen

We herewith send you some Accounts of the Expences about the Indians on the Eastern shoar, and flatter Ourselves you will readily allow the several Persons whatever is reasonable; since the timely

U. H. J. Care taken on that Occasion, hath probably prevented the murder of many of the Inhabitants of the Province, and the Trouble and Danger of an Indian War Signed p Order John Ross Ct. Up H.

A Bill from the Lower house by Mess^{rs} Calder & Smalwood Entitled An Act to continue such Causes now depending in the Provincial Court as by Law ought to have been determined October Provincial Court 1742 thus Endorsed

By the Lower house of Assembly 19 Octo^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 20 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

p. 34 Read the first and second time in this house by especial Order, passed & sent by Philip Thomas Esq^r

A Bill from the Lower house by Mess^{rs} Smith & Thomas Entitled An Act for Relief of Honor Hugall Susannah Murray Catherine Brett John Lumley George Jenkins and Anthony Hill languishing Prisoners in Ann Arundel County Goal Thomas Brown Robert Evans & Robert Brashiers languishing Prisoners in Prince Georges County Goal, Paul Busey a languishing Prisoner in Calvert County Goal John Mitchell & Charles Gannon languishing Prisoners in Talbot County Goal Samuel Peck and Edmund Melton languishing Prisoners in Queen Anns County Goal, Francis Tate, George Russell & W^m Willoughby James languishing Prisoners in Somerset County Goal Robert Walmesley a languishing Prisoner in St Marys County Goal Solomon Trayner and Garrett Corbert languishing Prisoners in Cecil County Goal & John West and William Clements jun^r languishing Prisoners in Charles County Goal, thus Endorsed

By the Lower house of Assembly 19 Oct^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 20 Oct^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first and second time in this house by especial Order, passed & sent by Samuel Chamberlayne Esq^r

Adjourned till to Morrow Morning ten of the Clock

October 21
P. 35

Thursday Morning 21st Octo^r 1742

This house met again according to Adjournment

Present as yesterday

Read the second time the Bill prepared in this house Ent^d An Act to enable Caleb Dorsey of Ann Arundel County Gentⁿ to sell and

dispose of forty nine Acres of Land Part of the Estate of Mary U. H. J. Woodward and Elizabeth Woodward Infants, passed & sent by Philip Thomas Esq^r

Read the second time the Bill Entituled An Act to enable the Justices of Baltimore County Court to assess and levy on the taxable Inhabitants of S^t Paul's Parish in the said County a Quantity of Money for the Uses and Purposes therein mentioned and also to divide the said Parish and for erecting Part thereof into a new One passed with the following Amendments; The Words, And whereas the af^d Benedict Bourdillon hath signified his Assent thereto by his signing the said Petition in 16th & 17th Lines of Page 3^d to be left out

Signed p Order John Ross Ct Up H.

Sent by Cot Hollyday

An Engrossed Bill from the Lower house by Mess^{rs} Stoughton & Martin Entituled An Act for laying out the Town anew commonly called Snowhill Town in Somerset County thus subscribed 21 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house & Ordered to be so subscribed

A Bill from the Lower house by Mess^{rs} Wootton & Chesley Entituled An Act for dividing Prince Georges Parish in Prince Georges County and for erecting a new One out of the same, thus Endorsed

By the Lower house of Assembly 20 Oct^r 1742

Read the first time & Ordered to lye on the Table

p. 36

By the Lower house of Assembly 21 Oct^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Ent^d An Act for issuing Writts of Replevin out of the County Courts of this Province, & passed with the following Amendments; Instead of the Preamble to the Bill Insert the following One, Whereas It seems to this General Assembly that It would be an Ease to the Inhabitants of this Province especially those who live remote from Annapolis to have the Liberty of issuing Writts of Replevin out of the several County Courts: Instead of the Words shall be issued out of the several County Courts of this Province where the Causes of Action shall respectively arise under the seals of such Courts and returnable to the same County

U. H. J. Courts in 8th 9th & 10th Lines of the first Page insert the following; may be issued either out of the Chancery Court or County Court at the Election of the Party or Parties suing such Writt; instead of the Words, habeas Corpus, in 3^d Line of 2^d Page, put Certiorari; instead of the Words; for three years and to the End of the next Session of Assembly that shall happen after the said three years, put these Words, till the last Day of October, which shall be in the year
 p. 37 of Our Lord 1743 and no longer: And the following Proviso to be added, Provided always, that any Replevin which shall be issued out of any County Court before the said last day of October, and that shall not be determined before that Day, shall and may be prosecuted to final End or Determination, the Expiration of the said last Day of October to the Contrary notwithstanding

Signed p Order John Ross Ct Up H.

Sent by Col Hammond

Adjourned till to Morrow Morning ten of the Clock

October 22

Friday Morning 22^d Octo^r 1742

This house met again according to Adjournment

Present as yesterday

A Message from the Lower house by Mess^{rs} Goldsborough & Harrison

By the Lower house of Assembly 22 Octo^r 1742

May it please Your Honours

In Answer to Your Message by James Hollyday Esq^r of 20th Instant: This Session drawing near to a Conclusion and there being as much Business before the House as can be perfected in a reasonable time; and the Accounts relating to the Indian Affairs coming so late, We have thought proper to refer them to the next Session of Assembly, as the same will require a more exact Enquiry than We have now time to make

Signed p Order M Macnemara Ct Lo H.

Two Engrossed Bills from the Lower house by Mess^{rs} Calder and Sprigg, One Entituled An Act for laying out & erecting a Town on the south side of the Eastern Branch of Patowmeck River in Prince
 p. 38 Georges County near a place called Garrison Landing; the Other Entituled An Act to continue such Causes now depending in the Provincial Court as by Law ought to have been determined October Provincial Court One thousand seven hundred forty and two, thus subscribed

21 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo. H.

Read & assented to by this house & Ordered to be so subscribed

An Engrossed Bill from the Lower house by Mess^{rs} Houghton and U. H. J. Wilkinson Entituled An Act to impower and direct the Clerk of Somerset County to enter and record among the said County Records a Deed of Bargain and Sale from John Martin to James Martin of a Lott of Land therein mentioned; thus subscribed

21 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed

Read the second time the Bill Entituled An Act for raising a Duty of three half Pence Sterling p hh^d on all Tobacco exported out of this Province for the Use of the Governor; passed & sent by George Plater Esq^r

A Bill from the Lower house by Mess^{rs} King & Martin Entituled An Act to divide Somerset County, and to erect a new County on the sea board side by the name of Worcester, thus Endorsed

By the Lower house of Assembly 20 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 22^d Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

p. 39

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The Bill prepared in this house Entituled An Act to enable Caleb Dorsey of Ann Arundel County, Gent to sell & dispose of forty nine Acres of Land Part of the Estate of Mary Woodward and Elizabeth Woodward Infants, is brought from the Lower house by Mess^{rs} Tasker & Hyland thus Endorsed

By the Lower house of Assembly 21 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 22 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

which Bill is read again in this house & passed for Engrossing

A Bill from the Lower house by Mess^{rs} Sheredine and Wilkinson Entituled An Act encouraging the raising of Copper Oar, erecting

U. H. J. of Stamping Mills and Copper Works and making of Copper within this Province thus Endorsed

By the Lower house of Assembly 21 Octo^r 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 22 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

p. 40 Read the first time in this house & Ordered to lye on the Table

An Engross'd Bill from the Lower house by Mess^{rs} Sheredine and Caswall Entituled An Act to enable the Justices of Baltimore County Court to assess and levy on the taxable Inhabitants of St Paul's Parish in the said County a Quantity of Money for the Uses and Purposes therein mentioned and also to divide the said Parish & for erecting Part thereof into a New One; thus subscribed

22 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed

A Bill from the Lower house by Mess^{rs} Magruder and Sprigg Entituled An Act to divide Prince Georges County, and to erect a New One by the name of Frederick County; thus Endorsed

By the Lower house of Assembly 22 Octo^r 1742

Read the first & second time by Especial Order and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this House & Ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

October 23

Saturday Morning 23^d Octo^r 1742

This house met again according to Adjournment

Present as yesterday

Read the second time the Bill Entituled An Act to divide Somerset County and to erect a New County on the Sea board side by the name of Worcester, passed & sent by Cot Gale

Read the second time the Bill Entituled An Act for dividing Prince Georges Parish in Prince Georges County and for erecting a Parish out of the same called by the Name of All Saints Parish; passed & sent by Samuel Chamberlain Esq^r

p. 41 Read the second time the Bill Entituled An Act encouraging the raising of Copper Oar, erecting of Stamping Mills and Copper Works and making of Copper within this Province; passed and sent by Cot Hammond

An Engrossed Bill from the Lower house by Mess^{rs} Smalwood U. H. J. and Gresham Entituled An Act for Relief of Honer Hugall Susanna Murray Catherine Brett John Lumley George Jenkins and Anthony Hill languishing Prisoners in Ann Arundel County Goal, Thomas Brown, Robert Evans and Robert Brashears languishing Prisoners in Prince Georges County Goal, Paul Busey a languishing Prisoner in Calvert County Goal, John Mitchell & Charles Gannon languishing Prisoners in Talbot County Goal, Samuel Peck and Edmund Melton languishing Prisoners in Queen Anns County Goal Francis Tate George Russell & W^m Willoughby James, languishing Prisoners in Somerset County Goal, Robert Walmsley a languishing Prisoner in St Marys County Goal, Solomon Trayner & Garrett Corbert languishing Prisoners in Cecil County Goal and John West and W^m Clements jun^r languishing Prisoners in Charles County Goal; thus subscribed

23 Octo^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed

Adjourned till Monday Morning ten of the Clock

Monday Morning 25th Octo^r 1742

October 25

This house met again according to Adjournment

Present

The ho ^{on} ble	{	Benjamin Tasker Esq ^r	Cot Charles Hammond	p. 42
		George Plater Esq ^r	Cot Levin Gale	
		Edmund Jenings Esq ^r	Samuel Chamberlain Esq ^r	
		Cot James Hollyday	Daniel Dulany Esq ^r	

Three Engrossed Bills from the Lower house by Mess^{rs} Lloyd and Yates One Entituled An Act for dividing Prince Georges Parish in Prince Georges County and for Erecting a Parish out of the same called by the name of All Saints Parish; and An Act to divide Somerset County and to Erect a New County on the Sea Board side by the name of Worcester; and an Act encouraging the raising of Copper Oar Erecting of Stamping Mills and Copper Works and making of Copper within this Province; severally thus subscribed

25 Octo^r 1742

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed

A Bill from the Lower house by Mess^{rs} Colvill & Hyland Entituled An Act for laying out and Erecting a Town at a Place called

U. H. J. Long Point on the West side of North East River in Cecil County;
thus Endorsed

By the Lower house of Assembly 16 October 1742

Read the first time & ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 25 Octo^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

A Bill from the Lower house by Mess^{rs} Carrol & Worthington
Entituled An Act to enable the Rector Vestrymen & Churchwardens
for the time being of S^t Anns Parish in Ann Arundel County to lease
p. 43 certain Lotts in the City of Annapolis in manner and to the uses
therein mentioned; thus Endorsed

By the Lower house of Assembly 25 Octo^r 1742

Read the first and second time by especial Order and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled An Act to divide Prince
Georges County and to erect a New One by the name of Frederick
County; and will pass with the following Amendments: In 1st Line
of Page 2^d instead of the Words, on or near a Tract of Land called
Buck Lodge, on a Draught or Branch of Seneca Creek, put these
Words; at such Place as the Comm^{rs} hereafter mentioned, or the
major Part of them shall think proper: After the Word, Griffin
in 6th Line of the same Page put, William Beatty & Van Sweringen
in 8th Line of the same Page the Words, the Tract of Land called
Buck Lodge af^d; to be left out, and the following inserted; some
convenient Place in the said County: Between the Words, Griffin,
and, or in 17th Line of the same Page put these Words, William
Beatty and Van Sweringen, instead of the Words, Two hundred and
fifty, in 12th Line of Page 3^d put five hundred

Signed p Order John Ross Ct Up H.

sent by Edmund Jenings Esq^r

The Journal of the Committee of Accounts is brought from the
Lower house by M^r Worthington and 3 others thus subscribed

25 Octo^r 1742

p. 44 Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 26 Oct^r 1742

U. H. J.
October 26

This house met again according to Adjournment

Present as yesterday

The following Message is sent by George Plater Esq^r

By the Upper House of Assembly 26 Oct^r 1742

Gentlemen

We herewith send you a Message to Both Houses of Assembly from his Excellency the Governor; and as It relates to an Affair of the greatest Importance to the Country, We doubt not but you will give it a speedy and impartial Consideration

Signed p Order John Ross C^t Up H.

Gentlemen of the Upper & Lower houses of Assembly

Although the ill Designs of the Shawan Indians (very probably excited by the French) as well as the Indians living amongst Us, were so happily discovered, and prevented being carried into Execution; yet I am of Opinion that It is absolutely necessary, for the Preservation of the Lives, and Security of the Property of his Majestys Subjects within this Province, according to the Example of the Neighbouring Governments; to enter into a Treaty with the Six Nations, who, by all the Accounts I have, are not only more numerous and formidable than all the other neighbouring Indians together, but also more to be relied on, in Case of a Rupture with France: To this End a Messenger was sent to invite them hither, in hopes that it would have suited them to come while the Assembly p. 45 was sitting, and that Everything needful might have been transacted with them, with the Advice Concurrence and Approbation of the whole Legislature; but their Answer to the Messenger was, that the Season of the Year would be so far advanced before they could return home, that they could not conveniently come till the Spring: And as you are sensible that their Coming then must be troublesome, as well as expensive; and that the Calling of an Assembly on that Occasion (which can't be avoided) would greatly encrease the Publick Charge; so I have thought of this Expedient to prevent it, as well as to lessen the Expence Viz. to send Comm^{rs} either to Albany, or such other Place as may be thought more convenient to treat with the said Indians: If you approve of this Expedient I desire you'll appoint Two of Your Members of Each house as Commissioners for that Purpose

Thomas Bladen

Read the second time the Bill Entituled An Act to enable the Rector Vestrymen and Churchwardens for the time being of S^t Anns Parish in Ann Arundel County to lease certain Lotts in the City of Annapolis in manner and to the Uses therein mentioned; passed and sent by Sam^l Chamberlain Esq^r

U. H. J. Read the second time the Bill Entituled An Act for laying out and Erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County; passed & sent by Col Gale

p. 46 Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Col Gale from the Committee appointed to inspect the Accounts and proceedings of the Comm^{rs} of the Paper Currency Office brings into the House the following Report

At a Committee of Both Houses appointed to inspect the Office and Proceedings of the Comm^{rs} for emitting Bills of Credit established by Act of Assembly. 26 Octo^r 1742

Present

The honble Levin Gale Esq^r of the Upper house

Col Thomas Colvill	}	Mr Grundy Pemberton	} of the		
Capt ⁿ Rich ^d Caswall				} Mr James Weemes	} Lower
Capt ⁿ Thomas Sheredine					

Who make Choice of the honble Levin Gale Esq^r Chairman and William Ghiselin Clerk, and agree to make the following Report

Your Committee have carefully inspected the State of the Office for emitting the Paper Money, and find the same in good Order, and that the Comm^{rs} or Trustees have closed their Account of the Iron Chest to the 9th day of Septem^r 1742. Ballance therein £5836: 5: 0¾

That there still remains in the Office unsigned Bills for £2078..15..0 Part of the 89990£ Principal Stock which makes the whole Ballance of the said Principal Stock not lent out or applied 7915:00:4¾ whereof £4795:00:3 is appropriated to particular Uses, and
p. 47 3120:00:1¾ remains unappropriated of the Principal Stock as by the annexed Account appears.

Your Committee further signify that at the Desire of the Comm^{rs} Your Committee did count over and see destroyed & burnt to Ashes by the said Comm^{rs} the following torn and defaced Bills Viz. 45 Bills of 20^s Each, 39 Bills of 15^s Each, 124 Bills of 10^s Each, 191 Bills of 5^s Each, 200 Bills of 2^s 6^d Each, 625 Bills of 1^s 6^d Each and 786 Bills of 1^s Each amounting in the whole to two hundred and Ninety five Pounds three shillings and Six Pence

Your Committee further signify that there is no Return of an Account from M^r Roger Matthews for the Money he received as Agent for Baltimore County

And that no other Returns from the County Clerks but those below U. H. J. mentioned have been made of the Lists of Ordinary Licenses Viz. John Brice Esq^r Clerk of Ann Arundel County for the Years 1740 and 1741; Edmund Portens Clerk of Charles County for the same years; John Leeds Clerk of Talbot County for the same years; William Knight Clerk of Cecil County for the same years; Thomas Hayward Clerk of Somerset County for the same years; Thomas Lee Clerk of Prince Georges County for the same years; Richard Tilghman Clerk of Queen Anns County for the same years; All which is submitted to the Consideration of Both Houses by

Levin Gale	Rich ^d Caswall	G. Pemberton
Tho ^s Colvill	Tho ^s Sheredine	James Weemes

D^r

p. 48

The Office for emitting the Paper Money of Maryland from the 8th of May to 9th of September 1742 inclusive

To Ballance of Account then stated 8 th day of May 1741 before a Committee of Both houses for such part of the 89990£ as was then signed	£	s	d
	34	18	00:10
To 11 Books of 1:6 Bills 1250 Each } being so much			
To 6 Books of 1 Bills 1250 Each } signed of the			
3125£ of	14	06	05: 0
unsigned Bills mentioned in the last years Account and Report part of the af ^d 89990£			
To Principal Money paid into the Office on Loans from 8 th May 1741 to 9 th Septem ^r 1742 inclusive	15	65	00: 0
To Interest Money paid into Ditto in said time	28	5	15: 0
To Money paid into the Office by Co ^t Cha. Hammond Treasurer of the Western Shoar by Virtue of an Act of Assembly made Anno 1737	29	8	6: 2¾
To money paid into the Office by George Plater Esq ^r by Virtue of an Act of Assembly for transporting his Majestys forces	43	8	00: 0
To Money returned from the several Agents			
From James Hollyday Esq ^r	16	7	15: 0
From James Harris Esq ^r	12	0	00: 0
From George Plater Esq ^r	5	00	00: 0
From Co ^t Robert Hanson	10	5	00: 0
To money from John Darnall Sheriff of Ann Arundel County for Ordinary Licenses	13	5	11: 0
To D ^o from Edward Tilghman Sheriff of Queen Anns County for Ditto	19	00	00: 0
	79	64	01: 0¾

U. H. J. C^r

By Money Cut on Interest since 8 th May 1741	845:00: 0
By Money paid for the Com ^s & Clks Salaries from 23 ^d Jan. 1740 to 23 ^d July 1742 being the whole Salaries due to that time except ¼ or 20£ due to M ^r Young	460:00: 0
p. 49 By Money paid Col Hooper for Dorchester County Goal	500:00.. 0
By Money paid Charles Sewall pursuant to Act of Assembly made in 1741	300:00: 0
By petit Expences and Charges of the Office as p Account	22:15.. 8
	<hr/>
	2127:15.. 8
Ballance remaining in the Iron Chest signed	5836:05.. 4¾
	<hr/>
	£7964:01.. 0¾

Memorandum

Money appropriated for several County Goals but not issued or applied	2500:00: 0
Ditto to the Governors house	2291:07: 4
Ditto to the Publick Buildings in Annapolis	3:12:11
	<hr/>
	4795..00.. 3
Remains unappropriated of the af ^d [£] 89990 principal	3120:00.. 1¾
	<hr/>
	£7915:00: 4¾

Memorandum

Ballance remaining in the Office signed of the 89990£ Principal as above	5836:05: 4¾
Ditto unsigned of the said 89990£	2078:15: 0
	<hr/>
	£7915..00: 4¾

Particulars of Office Expences referred to in the above Account	
To money paid M ^r Razolini for a Lock	0..15.. 0
To Ditto M ^r Burke for Paper &c	3..14.. 0
To Ditto paid for fire wood	3..00.. 0
To M ^r Ghiselin for the 1¾ cleaning and takin Care of the Office	15..06.. 8
	<hr/>
	£22..15.. 8

A Message from the Lower house with the Bill for dividing Prince Georges County by Mess^{rs} Sprigg and Magruder U. H. J.
p. 50

By the Lower house of Assembly 26 Octo^r 1742
May it please Your Honours

The place mentioned in the Bill Entituled An Act to divide Prince Georges County, and to erect a New One by the name of Frederick County, is, We conceive the most proper at present for building a Court house on; in as much as we apprehend another County must probably in a few years be laid out to the Westward of Monococy, and further up the River Patowmeck, so that we cannot agree with your proposed Amendments, save only to that Part thereof, wherein you propose five hundred Pounds instead of Two hundred and fifty; and therefore hope you will pass the Bill with the Amendment of that Part only Signed p Order M Macnemara Ct Lo Ho.

A Bill from the Lower house by Mess^{rs} Lloyd & Goldsborough Entituled An Act to enable his Excellency Thomas Bladen Esq^r or the Governor for the time being to purchase four Acres of Land within the fence of the City of Annapolis for the use of the Publick, and to build thereon a Dwelling house and Other Conveniencies for the Residence of the Governor of Maryland for the time being and to repeal Part of Other Acts therein mentioned; thus Endorsed

By the Lower house of Assembly 21 Oct^r 1742
Read the first time & Ordered to lye on the Table
Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 26 Oct^r 1742
Read the second time and will pass
Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table p. 51

An Engrossed Bill from the Lower house by Mess^{rs} Stoughton & Sheredine Entituled An Act for raising three half Pence Sterling on all Tobacco exported out of this Province for the Use of the Governor; thus subscribed

25 Octo^r 1742

Read and assented to by the Lower house of Assembly
Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed
Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
October 27

Wednesday Morning 27 Octo^r 1742

This house met again according to Adjournment

Present as yesterday except George Plater Esq^r

The following Message with the Bill for dividing Prince Georges County is sent by Daniel Dulany Esq^r

By the Upper house of Assembly 27 Oct^r 1742

Gentlemen

We are well informed that the Place where you propose to have the Court house for Frederick County, is very inconvenient for the Back Inhabitants, for whose sake principally that County is proposed to be erected; and We cannot think the Prospect or Expectation of a future Division of the intended new County, any Reason to subject the People to Inconveniencies in the mean time: And We hope, that if ever such a Division shall happen, that Care will be taken to do everything for the Ease and Advantage of the Inhabitants, which is the only View we have had, and still have in insisting on them

p. 52

Signed p Order John Ross Ct Up H.

The Engrossed Bill Entituled An Act to enable Caleb Dorsey of Ann Arundel County Gent to sell and dispose of forty nine Acres of Land Part of the Estate of Mary Woodward and Elizabeth Woodward Infants, thus subscribed

By the Upper house of Assembly 27 Octo^r 1742

Read and assented to by the Upper House of Assembly

Signed p Order John Ross Ct Up H.

Sent to the Lower house with the Paper Bill by Samuel Chamberlaine Esq^r; the said Paper Bill is brought from the Lower house by Mess^{rs} Gordon and Tasker thus Endorsed.

By the Lower Ho of Assembly 27 Oct^r 1742

The Engrossed Bill whereof this is the Original is read and assented to

Signed p Order M Macnemara Ct Lo H.

A Bill from the Lower house by Mess^{rs} King & Wootton Entituled An Act for raising three pence Sterling p hh^d on all Tobacco to be exported for purchasing Arms & Ammunition for the Defence of this Province; thus Endorsed

By the Lower house of Assembly 15 Octo^r 1742

Read the first time & Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo H.

By the Lower house of Assembly 27 Oct^r 1742

Read the second time and will pass

Signed p Order M Macnemara Ct Lo H.

Read the first time in this house & Ordered to lye on the Table
Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled An Act to enable his ^{p. 53} Excellency Thomas Bladen Esq^r or the Governor for the time being to purchase four Acres of Land within the fence of the City of Annapolis for the Use of the Publick, and to build thereon a Dwelling house and Other Conveniencies for the Residence of the Governor of Maryland for the time being and to repeal Part of Other Acts therein mentioned, passed and sent by Samuel Chamberlayne Esq^r

An Engrossed Bill from the Lower house by Mess^{rs} Worthington and Tasker Entituled an Act to enable the Rector Vestrymen & Church Wardens for the time being of S^t Anns Parish in Ann Arundel County to lease certain Lotts in the City of Annapolis in manner and to the Uses therein mentioned, thus subscribed

27th Oct^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara C^t Lo H.

Read & assented to by this house & Ordered to be so subscribed

An Engrossed Bill from the Lower house by Mess^{rs} Colvill & Hyland Entituled An Act for laying out and erecting a Town at a Place called Long Point on the West side of North East River in Cecil County thus Endorsed

27 Oct^r 1742

Read & assented to by the Lower house of Assembly

Signed p Order M Macnemara C^t Lo H.

Read & assented to by this house & Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 28 Oct^r 1742

October 28

This house met again according to Adjournment

Present as yesterday with the Addition of George Plater Esq^r

Read the second time the Bill Entituled An Act for raising three pence Sterling p^h on all Tobacco to be exported for the purchasing ^{p. 54} Arms and Ammunition for the Defence of this Province; and with the Amendments proposed in a Message herewith sent will pass; sent by Co^t Hammond

By the Upper House of Assembly 28th Oct^r 1742

Gentlemen

From the necessity you think yourselves under of testifying Your Zeal for his Majestys Person and Government and putting this

U. H. J. Province in the best and speediest Posture of Defence as you express in the Preamble to a Bill sent to this house for raising three pence Sterling ꝑ hh^d on all Tobacco to be exported for purchasing Arms and Ammunition for the Defence of this Province We did not expect a Bill for such good Purposes couched almost in the same Words, and with the same Clauses, as a Bill sent last Session of Assembly, and which this House could not for the many Reasons then given in Return with the said Bill, pass, and therefore We had Reason to hope, you would not have put Us again under the like Necessity of disagreeing with you, on a Subject so necessary to the Safety of us all: However that We may not be wanting on Our Parts We shall be willing to pass the Bill with the following Amendments; between the Words, that, and there, in 12th Line of Page 1st insert the following, from and after the End of this Session of Assembly to the last Day of October which shall be in the year of Our Lord 1743 and no longer: Leave out the Words, And be it further Enacted in the last Line but One of Page 2^d to the Words direct and appoint, to 6th Line of Page 3^d; and all that Part of the Bill after the Words County Justice in the last Line but two of Page 3^d to be left out
Signed ꝑ Order John Ross Cl Up H.

p. 55 The Journal of the Committee of Accounts being read is Ordered to be thus subscribed

28 Octo^r 1742

Read and assented to by the Upper House of Assembly

Signed ꝑ Order John Ross Cl Up H.

sent to the Lower house with the following Message by Edmund Jennings Esq^r

By the Upper house of Assembly 28 Oct^r 1742

Gentlemen

Although We think that the Money advanced about the Indians ought to be paid, and that it is a hardship upon those to whom it is due, to be kept out of it, and that some other Allowances are omitted which ought to have been made; yet We have assented to the Journal as It stands, to prevent this Session being longer delayed than is absolutely necessary, in full Confidence that you will at the next Meeting satisfy the Demands of those who are in Advance on the Indians Account, as well as what is justly due to other Publick Creditors
Signed ꝑ Order John Ross Cl Up Ho.

The several Paper Bills the Originals of which have passed Both Houses this Session are sent to the Lower House by Col Gale

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This house met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq^r

Read the second time the Bill Entituled An Act for raising three half pence Sterling for Every hh^d of Tobacco exported out of this Province for Payment of an Agent in Great Britain for the Service p. 56 of this Province, and will not pass, and sent by Philip Thomas Esq^r

A Message from the Lower house by Mess^{rs} Lloyd and Weemes, with the Bill Entituled An Act for the Assesment and Payment of the Publick Charge of this Province thus Endorsed

By the Lower house of Assembly 28 Octo^r 1742

Read the first & second time by Especial Order & will pass

Signed p Order M Macnemara Ct. Lo. H.

By the Lower house of Assembly 28 Oct^r 1742

May it please Your Honours

We send you herewith a Bill Entituled An Act for Assessment and Payment of the Publick Charge of this Province according to the Journal of Accounts, assented to by Both Houses and have left a Blank where Your Honours may insert the names of such of Your House, as you shall think fit to joyn those of Ours mentioned in the Bill, as a Committee for apportioning the same

Signed p Order M Macnemara Ct Lo H.

which Bill was read the first and second time in this house by especial Order, passed, and sent by George Plater Esq^r

An Engrossed Bill from the Lower house by Mess^{rs} King and Chesley Entituled An Act to enable his Excellency Thomas Bladin Esq^r or the Governor for the time being to purchase four Acres of Land within the fence of the City of Annapolis for the Use of the Publick, and to build thereon a Dwelling house and other Conveniencies for the Residence of the Governor of Maryland for the time being and to repeal Part of Other Acts therein mentioned thus subscribed

28 Octo^r 1742

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read & assented to by this house & Ordered to be so subscribed, the Paper Bill so endorsed is sent to the Lower house by Samuel p. 57 Chamberlain Esq^r

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
October 29

Friday Morning 29th Octo^r 1742

This house met again according to Adjournment

Present as Yesterday

A Message from the Lower house by Mess^{rs} Tasker & Chesley

By the Lower house of Assembly 29 Octo^r 1742

May it please your Honours

In Answer to your Message of the 26th Instant by George Plater Esq^r accompanying his Excellencys Message to Both Houses We have considered of the Matter recommended in the most impartial manner, and have accordingly acquainted his Ex^cy with the Result of this House thereon

Signed p Order M Macnemara Cl Lo H.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The following Address to his Lordship being read, is approved of and ordered to be Engrossed

To the right honble Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore

The humble Address of the Upper House of Assembly

p. 58 May it please your Lordship

We return your Lordship Our most sincere Thanks for your kind and affectionate Speech at the Opening of this Session, and We acknowledge with the deepest Sense of Gratitude that the Happiness of this Province has always been the Object of your Attention, that you have embraced every Opportunity of testifying your zeal to promote it, and that nothing can give your Lordship greater Pleasure than to be able to contribute to the Welfare and Prosperity of his Majestys Subjects here

The Appointment of a Gentleman to be Our Governor who is a native of the Province is very acceptable to all Ranks among Us, and It is a Pleasure to us that We can assure Your Lordship that his own good Conduct in the short time He has been with us has rendered him very dear to the People, and left them no Room to doubt of his having the greatest Inclination to cultivate that good Understanding which is so necessary for the common Interest, and We should be wanting to Ourselves and guilty of the greatest Violation of Our Duty should We fail to concur with Our worthy Governor in the carrying on such Measures as may be consistent with your Lordships Honour & the true and real Interest of Our Country, wherein We are assured of your ready Concurrence

Benj^a Tasker Pres^t

An Engrossed Bill from the Lower house by Mess^{rs} Hall and U. H. J. Chesley Entitled An Act for the Assesment and Payment of the publick Charge of this Province, thus subscribed p. 59

29 Oct^r 1742

Read and assented to by the Lower house of Assembly

Signed p Order M Macnemara Ct Lo H.

Read and assented to by this house and ordered to be so subscribed the Paper Bill so Endorsed is sent by Sam^t Chamberlain Esq^r

Edmund Jenings and Samuel Chamberlain Esq^r are sent to the Lower house to acquaint the Speaker that His Ex^cy requires him and the rest of the Members of that House to attend him immediately in the Upper house to see the Bills passed both Houses this Session receive the Assent

The whole House attend and by their Speaker present to his Excellency the following Bills (the Bill Entitled An Act to enforce the Collection and Payment of the Publick Charge of this Province pursuant to an Act of Assembly Entit^d An Act for the Assesment of the Publick Charge of this Province made at a Session of Assembly begun and held at the City of Annapolis the 26th Day of May Anno Dni 1741, being signed and assented to before) which His Excellency the Governor signed and assented to on behalf of the Right hoⁿble the Lord Proprietary of this province and sealed with his Lordships Great Seal at Arms, the Titles of which Laws are as follow Chapter I

An Act reviving an Act of Assembly of this Province Entitled An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace Chapter II

An Act for reviving an Act of Assembly Entitled An Act for relieving the Inhabitants of this Province from some Aggrievance in the Prosecution of Suits at Law and for reviving and continuing the supplementary Act thereto Chapter III
p. 60

An Act for the Advancement of Justice

Chapter IV

An Act to prevent the Exportation of Indian Corn for the time therein limited Chapter V

An Act to revive An Act of Assembly of this Province Entitled An Act for the better Relief of poor Debtors Chapter VI

An Act to prevent the ill Practices of Sheriffs in the collecting and Payment of the Publick and County Levies Chapter VII

An Act for the Tryal of all Matters of fact in the several Counties where they have arisen or shall arise Chapter VIII

An Act enabling the Justices of Cecil County to levy on the taxable Inhabitants of S^t Mary Anns Parish in the County af^d the sum of Eight hundred Pounds Chapter IX

A supplementary Act to the Act Entitled an Act for the repairing the Damages already sustained in the Records of the Land Secretarys Chapter X

- U. H. J. Commissarys and County Court Offices and for security of the same Records for the future
- Chapter XI An Act for laying out the Town anew commonly called Snowhill Town in Somerset County
- Chapter XII An Act to continue such Causes now depending in the Provincial Court as by Law ought to have been determined October Provincial Court One thousand seven hundred forty & two
- Chapter XIII An Act for laying out and erecting a Town on the South side of the Eastern Branch of Patowmeck River in Prince Georges County near a Place called Garrison Landing
- Chapter XIV p. 61 An Act to empower and direct the Clerk of Somerset County to enter and record among the s^d County Records a Deed of Bargain and Sale from John Martin to James Martin of a Lott of Land therein mentioned.
- Chapter XV An Act to enable the Justices of Baltimore County Court to assess and levy on the taxable Inhabitants of S^t Pauls Parish in the said County a Quantity of Money for the uses and Purposes therein mentioned and also to divide the said Parish and for erecting Part thereof into a New One.
- Chapter XVI An Act for Relief of Honor Hugall Susanna Murray Catherine Brett John Lumley George Jenkins & Anthony Hill languishing Prisoners in Ann Arundel County Goal Thomas Brown Robert Evans and Robert Brashears languishing Prisoners in Prince Georges County Goal Paul Busey a languishing Prisoner in Calvert County Goal, Jn^o Mitchel & Charles Gannon languishing Prisoners in Talbot County Goal Samuel Peck and Edmund Melton languishing Prisoners in Queen Anns County Goal Francis Tate George Russel and William Willoughby James languishing Prisoners in Somerset County Goal Robert Walmsley a languishing Prisoner in S^t Marys County Goal Solomon Trayner and Garrett Corbert languishing Prisoners in Cecil County Goal and John West and William Clements jun^r languishing Prisoners in Charles County Goal
- Chapter XVII An Act to enable Caleb Dorsey of Ann Arundel County Gent. to sell and dispose of forty nine Acres of Land Part of the Estate of Mary Woodward and Elizabeth Woodward Infants
- Chapter XVIII p. 62 An Act for dividing Prince Georges Parish in Prince Georges County and for erecting a Parish out of the same called by the Name of All Saints Parish
- Chapter XIX An Act to divide Somerset County and to erect a New County on the Sea Board side by the Name of Worcester
- Chapter XX An Act encouraging the raising of Copper Oar, erecting of Stamp- ing Mills and Copper Works & making of Copper within this Province
- Chapter XXI An Act for raising a Duty of three half pence Sterling p^h on all Tobacco exported out of this Province for the Use of the Governor

An Act to enable the Rector Vestrymen & Church wardens for the time being of S^t Anns Parish in Ann Arundel County to lease certain Lotts in the City of Annapolis in manner and to the uses therein mentioned U. H. J.
Chapter
XXII

An Act for laying out and erecting a Town at a place called Long Point on the West side of North East River in Cecil County Chapter
XXIII

An Act to enable His Excellency Thomas Bladen Esq^r of the Governor for the time being to purchase four Acres of Land within the fence of the City of Annapolis for the use of the Publick and to build thereon a Dwelling house and Other Conveniencies for the Residence of the Governor of Maryland for the time being and to repeal part of Other Acts therein mentioned Chapter
XXIV

An Act for the Assessment & Payment of the publick Charge of this Province p. 63
Chapter
XXV

After which His Excellency makes the following Speech
Gentⁿ of the Upper & Lower Houses of Assembly

The Temper and moderation with which the Business has been carried on this Session, must not only do Honour to your selves, and immediate Service to the Province; but also convince future Assemblies, that such Dispositions only can answer the Purposes for which they are called as well as make good the Hopes you have given me of an easy Administration
Gentⁿ of the Lower House

Your Readiness to oblige me personally in several Instances this Session is such an Earnest of your good Will, that I cannot take my Leave of you without assuring you of my hearty thanks and grateful Sense of your Behaviour on those Occasions, and that It is with the utmost Regret I mention my Disappointment in that Provision for Arms and Ammunition which I conceived myself under a Necessity of recommending to you, but I flatter myself with Hopes of satisfying you by a longer Experience of my Conduct and Earnestness for the Happiness & Prosperity of the Province, that I am incapable of desiring any thing which I think inconsistent with It's Welfare

I cannot but express my Satisfaction of your Treatment of my Message relating to the Indians and you may rely on my early Endeavours in the Disposition of the Publick Money for the Honour and Safety of the Province p. 64

As to the Address relating to the Naval Officers I shall give Directions that they lay before the Gentlemen mentioned in it the Authorities by which they receive the twelve pence p^r hh^d and fourteen pence p^r Ton properly authenticated under the Great Seal, and shall always be ready to grant every reasonable Request that shall be made me; but I cannot help expressing my Surprize, you should desire the Amount of the twelve pence p^r hh^d since the Naval Officers lay before your House every Session Accounts upon Oath, of the

U. H. J. Duties arising upon Exportation of every hogshead of Tobacco, from which a Calculation may be readily made of the Amount of that Duty of Twelve pence, nor can I see what use It can be to know the Amount of that or any other Duty, since the Quantum cannot possibly determine the Right to It.

I shall take Care faithfully to transmit Your Address to the Lord Proprietary, and shall think myself extreamly happy if I can be instrumental in promoting any thing that may be agreeable to the People of this Province

Gentlemen

I with the Advice of his Lordships Council of State do prorogue this Assembly until the first Tuesday in March next and you are
p. 65 to take Notice you are prorogued to that Day accordingly

Thus Endeth this Session of Assembly begun and held at the City of Annapolis on the 21st Day of September and Ending the 29th day of October following in the 28th year of his Lordships Dominion
Annoq Domini 1742 Jn^o Ross Cl.

PROCEEDINGS

THE LOWER HOUSE OF ASSEMBLY

At A Session of Assembly begun and held at the City of Annapolis on Tuesday the twenty first day of September Anno Domini 1742 in the twenty eighth year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore his Excellency Thomas Bladen Esq^r being Governor appeared in the Lower House of Assembly the following Members viz.

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For Saint Marys County	{	Mr James Swann Mr John Griffith
For Kent County	{	Mr Richard Gresham Mr James Calder Mr John Gresham
For Anne Arundel County	{	Doctor Charles Carroll Mr Henry Hall Mr T. Worthington
For Calvert County		
For Charles County	{	Mr Bayne Smallwood Mr Richard Harrison Major Robert Yeates
For Somerset County		
For Talbot County		Mr William Thomas
For Dorchester County		
For Cecil County	{	Col ^o Thomas Colvil Mr Benjamin Pearce Mr Nicholas Heyland
For Baltimore County	{	Mr Thomas Sheredine Mr Aquila Paca
For Prince Georges County	{	Mr John Magruder Col ^o Edward Sprigg Mr Turnor Wootton Mr Osborn Sprigg
For the City of Annapolis		Daniel Dulany Esq ^r
For Queen Anns County	{	Mr Grundy Pemberton Mr Robert Norrest Wright Mr Thomas Wilkinson Mr Thomas Hammond

L. H. J. A sufficient Number of Members to compose a Lower House of Assembly being met at the Stadt House, Col^o Sprigg and Doctor Carroll were desired to acquaint his Excellency therewith.

George Plater and James Holliday Esq^{rs} of the Upper House and M^r John Ross Clerk, came into the Stadt House in whose Presence
p. 312 the Members aforesaid took the several Oaths to the Government required by Law, signed the Oath of Abjuration repeated and signed the Test.

Benjamin Tasker and Edmund Jenings Esq^r from the Upper House acquaint the Members of this House, that the Governor required their Attendance in the Upper House

The Members of the Lower House went to the Upper House his Excellency required them to return and make Choice of a Speaker: The Members of the Lower House returned, and unanimously made Choice of Col^o Edward Sprigg a Representative of Prince Georges County to be their Speaker, and placed him in the Chair.

Ordered that M^r Calder and Col^o Colvil acquaint his Excellency this House hath made Choice of a Speaker

Philip Lee Esq^r and Col^o Charles Hammond from the Upper House acquaint this House that the Governor requires their Attendance in the Upper House to present their Speaker

The Members of the Lower House went to the Upper House and presented to the Governor for their Speaker Col^o Edward Sprigg: his Excellency approved the Choice, then acquainted M^r Speaker and the rest of the Members he had a Speech from Lord Baltimore to both Houses of Assembly, which he had ordered the Clerk of the Council to read (See page 266)

His Excellency made the following Speech (See page 266)

p. 313 The Lower House returned M^r Speaker resumed the Chair The House made Choice of M^r Michael Macnemara for Clerk

M^r Dulany and M^r Wootton ordered to acquaint his Excellency with their Choice of Clerk which on their Return they acquainted M^r Speaker he approved.

M^r Calder and M^r Thomas sent to the Upper House to see M^r Macnemara qualify himself they return and acquaint M^r Speaker the Clerk had taken the several Oaths to the Government required by Law, signed the Oath of Abjuration, repeated and signed the Test and took the following Oath.

You Michael Macnemara do swear that as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things, as by the Honourable Speaker for the time being and that House shall be to you directed, the Secrets of the said House you shall not divulge to the Prejudice of the said House or any Member thereof, but shall in all things as Clerk of the said House,

well and truly demean yourself to the best of your Knowledge L. H. J.
So help you God

The House Adjourns until the Morrow Morning at Nine of the
Clock

Wednesday Morning September 22^d 1742

Sept. 22

The House met according to Adjournment all Members answered
to the call who were present Yesterday

M^r George Wilson returned to serve for Kent County M^r James
Waughop and M^r Robert Chesley two returned Members for Saint
Marys County M^r Daniel Scott and M^r Richard Caswell, two re-
turned Members for Baltimore County

M^r Robert Lloyd a returned Member for Talbot County, M^r Wil-
liam Wilkinson a returned Member for Charles County; appeared
in the House this day. Ordered that M^r Calder and M^r Sheredine
go to the Upper House and see them qualified they return and ac-
quaint M^r Speaker they saw the aforesaid Members take the several
Oaths to the Government required by Law, sign the Oath of Ad-
juration, and repeat and sign the Test.

The Gentlemen took their Places in the House

The House appoint M^r Thomas Jobson Serjeant at Arms, and
Ordered that M^r Dulany Recorder of the City of Annapolis Admin-
ister to him the several Oaths to the Government required by Law
and the Oath of Office

M^r Dulany acquaints M^r Speaker that Thomas Jobson took the
several Oaths to the Government required by Law signed the Oath
of Abjuration repeated and signed the Test, and [took] the follow-
ing Oath viz.

You Thomas Jobson do swear that you will faithfully diligently p. 314
and honestly discharge the Office of Serjeant at Arms to the Lower
House of Assembly and that you shall not disclose or reveal the
Secrets thereof, So help you God

Resolved that the Hours of sitting this Session be from nine till
twelve in the Morning and from 2 to 5 in the Afternoon

On Motion of a Member that a day be appointed to take into Con-
sideration the Lord Baltimores Speech to both Houses of this
Assembly

Resolved that the same be taken into Consideration on Friday
next

The House appoint M^r Dulany Doctor Carroll M^r George
Col^o Colvill M^r Stoughton, M^r Calder M^r Philip Hammond, and
M^r Robert Lloyd a Committee of Laws

M^r Smith, M^r Magruder, M^r Wilson M^r Smallwood, M^r William
Wilkinson and M^r Worthington a Committee of Elections and
Priviledges

L. H. J. M^r Smith M^r Wootton M^r Henry Hall, M^r Thomas and M^r John Gresham A Committee to enquire into the State and Condition of the Arms and Ammunition and Accounts relating thereto

Col^o Colvill Captain Caswell M^r Sheredine M^r Pemberton and M^r James Weems a Committee to inspect the Accounts and Proceedings of the Commissioners for Emitting Bills of Credit established by Act of Assembly

M^r Magruder, M^r Stoughton M^r Wilson Doctor Carroll, M^r Joseph Hall M^r Nicholas Goldsborough M^r Pemberton, M^r Osborn Sprigg, a Committee of Aggrievances and Courts of Justice

Col^o King, M^r Wootton, M^r Sheredine M^r Worthington and M^r Paca a Committee of Accounts

Ordered that Doctor Carroll, M^r Calder, Col^o Colvil and M^r Lloyd prepare an Address to the Governor on his Speech

Ordered that M^r Worthington acquaint the Reverend M^r Lake, this House requests him to read divine Service at the Hour of Seven in the Morning and at five in the Afternoon during this Session

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

M^r Thomas Reynolds appointed Door Keeper to this House

Ordered M^r Henry Hall one of the Justices of the Peace for Anne Arundel County do administer the several Oaths to the Government required by Law and the Oath of Office to him

M^r Hall acquaints M^r Speaker that Thomas Reynolds took the several Oaths to the Government required by Law signed the Oath of Abjuration repeated and signed the Test and took the following Oath viz.

You Thomas Reynolds do swear that you will faithfully diligently and honestly discharge the Office of Door Keeper to the Lower House of Assembly and that you shall not disclose or reveal the Secrets thereof

The Committee of Accounts acquaint M^r Speaker they had made Choice of M^r Richard Dorsey for their Clerk the House approves him

M^r Joseph Hall and M^r James Weems two returned Members for Calvert County appeared in the House M^r Sheredine and M^r Henry
p. 315 Hall are ordered to go to the Upper House and see them qualified they return and acquaint M^r Speaker they saw them qualified by taking the several Oaths to the Government required by Law by Signing the Oath of Abjuration and by repeating and signing the Test.

The Gentlemen took their places in the House

Doctor Carroll from the Committee of Laws acquaints M^r Speaker L. H. J. that that Committee had made Choice of M^r Bordley for their Clerk, the House approves him

The House approved the following Rules and Ordered, that they be observed this Session.

1. That no Member of this House shall use any Reviling Speeches, or name any Member by his proper name, otherwise than for distinctions Sake, but shall rather use some other signification as the Gentleman that spoke last or the like

2. That no Member speak above once at the Reading of any Bill or Debate without License of the Speaker and the House and if two Persons, or more shall rise up together the Speaker shall appoint who shall speak first, and no Member shall interrupt any other until the Gentleman speaking hath ended

3. That none shall deliver his Opinion or speak to any Bill or debate unless he shall stand up and reverently direct his Speech to the Speaker

4. That every Bill proposed to the House shall be read two several days before it is sent to the Upper House, and once after, before it be Ingrossed; and that between every Reading one day shall be Intermitted and that in that Time the Bill be laid on the Table for the Perusal of all the Members, unless on very urgent Occasions M^r Speaker, with the Consent of the House shall dispense therewith; and then one Bill being read twice at one Sitting shall be as sufficient as if read several days when so entred on the Clerks Journal

5. That no Person shall come into the House of Assembly while the same is sitting with Sword or other Weapon upon Penalty of such Fine as shall be imposed on them by the Speaker for any Fine not exceeding five Shillings for any Offence

6. That if any Member bound to attend this Assembly shall be absent at the Hours and place appointed after the number of twelve of the Members with the Speaker are met according to the Order for sitting he shall be fined according to the discretion of the Speaker not exceeding five Shillings for any Offence upon such lawful Excuse as the Speaker shall admit of

7. All Misdemeanours which shall happen in the House shall be censured and fined by the House

8. That no Bill shall be read at any time during this Session till all the Members in Town, be called in except on some Excuse to be admitted by the Speaker

The House Adjourns till the Morrow Morning at nine of the Clock

Thursday Morning September the 23^d 1742

Sept. 23

The House met according to Adjournment &c.

Mess^{rs} Nicholas and John Goldsborough two returned Members for Talbot County Captain Bartholomew Ennalls and M^r Jacob

L. H. J. Hindman two returned Members for Dorchester County, Col^o Robert King William Stoughton Esq^r Major George Gale and Captain James Martin returned Members for Somerset County appeared in the House

Ordered that M^r Lloyd and M^r Thomas go to the Upper House and see them qualified; they return and acquaint M^r Speaker they saw them qualified in the usual manner by taking the several Oaths to the Government required by Law, signing the Oath of Abjuration and by repeating and signing the Test. The Gentlemen took their Place in the House.

p. 316 M^r Calder brings in an Address to his Excellency on his Speech, which he read in his Place, and being afterwards read by the Clerk, was approved and Ordered to be Ingrossed

On Motion of a Member for Leave to be given to bring in a Bill to prohibit the Exportation of Indian Corn Leave is given

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r Philemon Lecompte a returned Member to serve in this Assembly for Dorchester County appeared in the House

Ordered that Captain Ennalls and M^r Hindman go to the Upper House to see him qualified they return and acquaint M^r Speaker they saw him qualified by his taking the Oaths to the Government required by Law, by signing the Oath of Abjuration and by repeating and signing the Test

The following Ingrossed Address to his Excellency the Governor viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland

The humble Address of the House of Delegates

May it please your Excellency

We his Majestys most dutiful and Loyal Subjects the Delegates of the Freemen of the Province of Maryland in General Assembly convened, do very sincerely congratulate your safe Arrival with your Family as Governor of this Province the Place of your Nativity and return you our hearty Thanks for your kind Speech at the Opening of this Session, and the good Wishes you are pleased to express for our Interest and Happiness

There are many things necessary for our Consideration of which we are sensible your Excellency in the short time you have been among us cannot have had Opportunity of being apprized, and although it is with the greatest Reluctance We mix any thing like Complaint with our first Address to you; yet his Lordship's the Lord Proprietary's Dissent (lately published) to the Act made last Session entituled An Act for the Assessment and Payment of the Public

Charge of this Province whereby the Execution of that Act has L. H. J. been retarded, and a great part of the Money although collected is still retained in the hands of the Sheriffs, and the public Creditors deprived of it, is a thing so extraordinary, and attended with so many ill Consequences to the People whom we represent, without any one good end to his Lordship that We know of, that we cannot consistent with our Duty pass it over, without complaining of it as a high Infringement of our Rights, But as We have no Room to suppose your Excellency had any Share in this matter we only mention it to you in order to pray your Concurrence in such Measures as we shall endeavour to take for remyding those ill Consequences; which Concurrence we cannot doubt of Obtaining, since you have so kindly offered it, in every thing tending to the Safety and Welfare of the Province

Our own Safety, as well as your Excellencys Recommendation, will necessarily lead us to consider what Arms and Ammunition may be necessary for our Security and to make such Provision therefore as the present Exigency may require and our Circumstances admit of and We do very sincerely assure you that nothing shall be wanting on our Part to render your Administration easy and agreeable to you, consistent with the Trust reposed in us by our Constituents.

Being prepared on Behalf of the House to be Signed by the p. 317
Honourable Speaker; which being done

Ordered that William Stoughton Esq^r and M^r John Magruder acquaint his Excellency therewith, and that this House desires to know when and where he will please to receive it they return and acquaint M^r Speaker the Governor will receive it in half an Hour in the Conference Chamber

Ordered that the Address to his Excellency the Governor, be presented by M^r Speaker attended by all the Members of this House

M^r Speaker left the Chair and attended by the rest of the Members presented the Address to his Excellency

M^r Speaker and the rest of the Members returned

M^r Speaker resumed the Chair

On Motion of a Member that A Bill be brought in to enforce the Collection of the Public Money, as it was assessed and partly Collected by Virtue of an Act entituled an Act for the Assessment and Payment of the Public Charge of this Province

Leave given and Ordered that the Committee of Laws prepare and bring in the Bill accordingly

And that it be an Instruction to the said Committee to insert a Clause to enable the Sheriffs whose Offices are or shall be expired before the Collection to make Completion,

M^r Magruder from the Committee of Aggrievances &c^a acquaint M^r Speaker that that Committee had made Choice of M^r Nicholas Hammond for their Clerk; the House approves the Choice

L. H. J. On Motion of a Member that the Clerks and Clerks Assistants to the several Committees of this House be Obligated to take the several Oaths to the Government as required by Law, and an Oath of Office

Ordered that each Clerk and Clerk Assistant to every Committee be obliged to take the several Oaths to the Government as required by Law and the following Oath of Office, viz.

You A. B. do swear that as Clerk to the Committee of you shall true Entries make of all such matters and things, as by this Committee for the time being shall be to you directed; the Secrets of the said Committee you shall not divulge to the Prejudice of the said Committee or any Member thereof, but shall in all things as Clerk to the said Committee well and truly demean yourself according to the best of your knowledge So help you God

Ordered that M^r Henry Hall a Justice of the Peace for Anne Arundel County administer the Oaths to the Government and the Oath of Office to M^r Nicholas Hammond

M^r Hall acquaints M^r Speaker that he had administred the several Oaths to the Government to M^r Nicholas Hammond and that the said Hammond had signed the Oath of Abjuration, had repeated and signed the Test and had taken the Office Oath.

The House Adjourns to the Morrow Morning at nine of the Clock

Sept. 24

Friday Morning September 24. 1742

The House met according to Adjournment &c^a

M^r Walter Smith and M^r John Brome two returned Members to serve for Calvert County appeared in the House Ordered that M^r Weems and M^r Joseph Hall go to the Upper House and see them qualified they return and acquaint M^r Speaker they saw them take the several Oaths to the Government required by Law sign the Oath of Abjuration repeat and sign the Test

On Motion of a Member that Leave be given to bring in a Bill
p. 318 for Limitation of Officers Fees Leave given and Ordered that the Committee of Laws prepare and bring in a Bill accordingly

M^r Smith from the Committee of Elections and Priviledges acquaints M^r Speaker, that Committee had chosen M^r Thomas Jennings as Clerk to the Committee of Elections and Priviledges, the House approves the Choice

M^r Smith from the Committee to enquire into the State and Condition of the Arms and Ammunition &c^a acquaints M^r Speaker, that Committee had chosen M^r Thomas Jennings for Clerk The House approves thereof

Ordered that M^r Henry Hall do administer to him the several Oaths to the Government and Oath as Clerk to each Committee

M^r Hall acquaints M^r Speaker M^r Thomas Jennings had taken L. H. J. the several Oaths to the Government signed the Oath of Abjuration repeated and signed the Test, and had taken the Oath of Office to each Committee

On Motion Leave given to bring in the following Bills, viz. A Bill entitled an Act to revive an Act of Assembly of this Province Entitled A Supplementary Act to the Act Entitled an Act for Emitting and making current Ninety Thousand Pounds Current Money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed

A Bill Entitled An Act to revive an Act of Assembly of this Province Entitled An Act for the better Relief of poor Debtors

A Bill Entitled an Act reviving an Act of Assembly of this Province Entitled an Act for the speedy Recovery of small Debts out of Court before a Single Justice of Peace

A Bill Entitled A Supplementary Act to the Act Entitled an Act for the Relief of Debtors and ascertaining the manner of Tenders in Tobacco and to the Supplementary Act thereto

A Bill entitled An Act for reviving an Act of Assembly Entitled an Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for reviving and continuing the Supplementary Act thereto

On Motion of a Member Leave given to bring in a Bill to obtain Writts of Replevin out of the several County Courts

William Stoughton Esq^r from the Committee of Laws delivers M^r Speaker a Bill entitled An Act to revive an Act of Assembly of this Province Entitled a Supplementary Act to the Act entitled An Act for Emitting and making Current 90000 £ Current Money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed; Which Bill was read the first time, and Ordered to lie on the Table

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

This day being appointed for the Consideration of the Lord Proprietarys Speech to both Houses this Session the Consideration thereof is referred to Wednesday next

On Motion of a Member that a Committee be appointed to inspect the Public Goal in the City of Annapolis and the Usage of the Prisoners therein

p. 319

M^r Smith, William Stoughton Esq^r M^r John Goldsborough M^r William Wilkinson and M^r Henry Hall are appointed A Committee to enquire into the affair and make Report to the House

L. H. J. Mr Jonas Green Printer allowed to Print the Votes and Resolves of this House at the Allowance made usually

The Governor communicated to Mr Speaker the following Answer to the Address of this House viz.

Gentlemen of the Lower House of Assembly

I thank you very sincerely for your Address, and for the Obliging manner in which it was delivered Give me Leave to assure you from the Knowledge I have of his Lordship, I am confident he will maintain your Just Rights equally with his own. Nothing in my Power shall be wanting, that may promote the Happiness of the Country and it is with Pleasure that I accept the Promise you are so kind to give me of making my Government easy Thomas Bladen

William Stoughton Esq^r from the Committee of Laws delivers Mr Speaker A Bill entituled An Act for reviving An Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for reviving and continuing the supplementary Act thereto

And A Bill entituled An Act reviving and continuing an Act of Assembly of this Province Entituled An Act for the speedy Recovery of small debts out of Court before a single Justice of the Peace

Which Bills were severally Read and Indorsed.

Read the first time and Ordered to lie on the Table

The House Adjourns until the Morrow Morning at 9 of the Clock.

Sept. 25

Saturday Morning September 25th 1742

The House met according to Adjournment &c^a

The following Message (See page 269)

Was sent to the Upper House by Captain Sheredine and Mr Pemberton

The Bill entituled An Act to revive an Act of Assembly of this Province entituled A supplementary Act to the Act entituled An Act for Emitting and making Current ninety Thousand Pounds Current Money of Maryland in Bills of Credit and to restrain some evil Practices of Sheriffs under Colour of the said Act committed Was Read a second time, and on the Question put, Passed in the Negative

On Motion of a Member for Leave to bring in a Bill to restrain evil Practices of Sheriffs, committed in Receipt and Payment of Public dues, Leave given and Ordered that the Committee of Laws prepare and bring in such Bill accordingly

p. 320 Mr Calder from the Committee of Laws brings in a Bill entituled An Act to Enforce the Collection and Payment of the Public Charge of this Province pursuant to an Act of Assembly of this Province Entituled An Act for the Assessment of the Public Charge of this

Province made at a Session of Assembly begun and held at the L. H. J. City of Annapolis &c^a which was read the first time and Ordered to lie on the Table

The Bill entituled An Act for reviving an Act of Assembly entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law &c^a Read the second time & will pass.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a and further adjourns until Monday Morning at nine of the Clock

Monday Morning September 27. 1742

Sept. 27

The House met according to Adjournment, all Members appeared at the call except M^r Dulany who being sent for to require his Attendance on this House, sent for Answer he was obliged to attend the Upper House

Ordered that M^r Speaker issue his Warrant directed to the Secretary of this Province to make out a Writ of Election directed to the Mayor Recorder and Aldermen of the City of Annapolis to Elect a Member to represent them in this General Assembly in the Room of Daniel Dulany Esq^r called to the Council Board

The Bill entituled An Act to enforce the Collection and Payment of the Public Charge of this Province &c^a Read the second time and will pass sent to the Upper House by Col^o King and Eleven more

The Bill entituled An Act for reviving An Act Entituled An Act for the Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law &c^a sent to the Upper House by M^r Smith and M^r Hindman

Col^o King and M^r Nicholas Goldsborough are added to the Committee of Laws

Daniel Dulany Esq^r from the Upper House delivers M^r Speaker the following Message (See page 270)

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r Smith from the Committee appointed to enquire into the Treatment of the Prisoners in Anne Arundel County Goal acquaints M^r Speaker that Committee had chosen M^r William Marshe for Clerk, the House approves the Choice

L. H. J. Ordered that M^r Henry Hall administer to him the Oath of Office prescribed

p. 321 M^r Hall acquaints M^r Speaker he did administer the Oath of Office to M^r Marshe

Captain Gordon one of the returned Members for the City of Annapolis appeared in the House

M^r Joshua George a Member returned to serve in this General Assembly for Cecil County appeared in the House

M^r Calder and M^r Pearce sent to the Upper House to see them qualified; they return and acquaint M^r Speaker they saw them qualified by taking the several Oaths to the Government required by Law, by signing the Oath of Abjuration and by repeating and signing the Test.

On Motion of a Member for Leave to bring in a Bill for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise

Leave given and Ordered, that the Committee of Laws prepare and bring in such Bill

Col^o King from the Committee of Laws delivers M^r Speaker a Bill entituled an Act for the Tryal of all matters of Fact in the several Counties where they have arisen or shall arise; Read the first time and Ordered to lie on the Table

The following Resolves Ordered to be Entred, as the Resolves of this House viz;

Resolved by the House, that the Members who are appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice, and that that Character and the Duty of such Committee, be annex'd to the said Committee of Aggrievances as a standing part of their Duty

And that it be an Instruction to the said Committee, as a Committee of Courts of Justice that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province, and that they especially observe any Alterations, that may at any time happen by accidental Omission, or otherwise therein, and particularly relating to such Words therein, as require the several Judges and Justices to Hear, Try and Determine, according to the Laws Statutes Ordinances and reasonable Customs of England, and of this Province, or to such other Words as have relation thereto, and that they shall immediately make Report to the House of any Alteration that shall at any time happen in such Commission, and likewise to have Regard as near as may be wherein they differ from the several Forms of Commissions to the Judges and Justices in England

Likewise Resolved that it be an Instruction to the said Committee to inspect the Form of the Oaths of Office, that have been and now are usually taken by the several Magistrates and that in case the

following Clause be not incerted in the said Oath it be Reported to L. H. J. the House such Clause being agreeable to the Oath taken by the Judges in England viz.

To do equal Law and Right to all the Kings Subjects Rich and Poor and not to delay any Person of common Right, for the Letters of the King the Lord Proprietary or of any other or for any other Cause, but if any such Letters come to them they shall proceed to do the Law the same Letters notwithstanding

And that a Copy of these Resolves be made and given to the said Committee, when they first go out every Sessions and that the making and giving such Copies be the undoubted Duty of the Clerk of this House, and within the Purview of his Oath

Resolved also that this Province is not under the Circumstances of a conquered Country, that if it were the present Christian Inhabitants thereof would be in the Circumstances of the Conquerors not of the Conquered, it being a Colony of the English Nation encouraged by the Crown to Transplant themselves hither for the sake of Improving and enlarging its Dominions, which by the Blessing of God upon their Endeavours, at their own Expence and Labour has been in great Measure obtained: And tis unanimously Resolved that whoever shall advance that his Majestys Subjects by such their Endeavours and Success have forfeited any part of their English Liberties are not well wishers to the Country and mistake its happy Constitution p. 322

Resolved also that if there be any pretence of Conquest it can be only supposed against the Native Indian Infidels, which Supposition cannot be admitted, because the Christian Inhabitants purchased great part of the Land they at first took up from the Indians as well as from the Lord Proprietary and have ever since continued in an amicable Course of Trade with them, except some partial Outrages and Skirmishes which never amounted to a General War much less to a General Conquest the Indians yet enjoying their Rights and Priviledges of Treaties and Peace with the English of whom we yet frequently purchase their Rights of such Lands as we take up as well as of the Lord Proprietary

Resolved further that this Province hath always hitherto had the common Law and such General Statutes of England as are securitative of the Rights and Liberties of the Subject and such Acts of Assembly as were made in this Province to suit its particular Constitution as the Rule & Standard of its Judicature and Government; such Statutes and Acts of Assembly, being Subject to the like Rules of common Law, or equitable Construction as are used by the Judges in construing Statutes in England; which happy Rules have by his Majesty and his Royal Ancestors, and also by his Lordship and his noble Ancestors, or some of them been hitherto approved, by having the Commissions of Judicature to include Directions of that Nature

L. H. J. to the several Judicial Magistrates; unless those Words have at any time been casually or carelessly omitted by the Officers in this Province that drew such Commissions

The Bill Entituled An Act for reviving an Act of Assembly Entituled an Act for the speedy Recovery of small debts out of Court before a single Justice of the Peace, Read the second time and will pass

The House Adjourns until the Morrow Morning at nine of the Clock

Sept. 28

Tuesday Morning September 28. 1742

The House met according to Adjournment

All Members present as Yesterday except M^r Richard Harrison, who through the Necessity of his Affairs was gone home

The Bill entituled An Act for the speedy Recovery of small Debts out of Court before a single Justice of the Peace, sent to the Upper House by M^r Worthington and Captain Martin who return and say they delivered it

On Motion of a Member for Leave to bring in a Bill for enlarging the Jurisdiction of the County Courts Leave is given and Ordered that the Committee of Laws prepare and bring it in accordingly

p. 323 On Motion of a Member for Leave to bring in a Bill for Advancement of Justice Leave is given and Ordered that the Committee of Laws prepare and bring in a Bill accordingly

M^r Philip Hammond a Member returned for Ann Arundel County appeared in the House M^r Worthington and Captain Henry Hall sent to the Upper House to see him qualified they return and acquaint M^r Speaker they saw him qualified by taking the several Oaths to the Government required by Law by signing the Oath of Abjuration and by repeating and signing the Test

The Gentleman took his place in the House

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Col^o King from the Committee of Laws delivers M^r Speaker A Bill entituled An Act to revive an Act of Assembly of this Province entituled an Act for the better Relief of poor Debtors: Which Bill was read the first time and Ordered to lie on the Table

The Bill entituled An Act for issuing Writs of Replevin out of the County Courts of this Province read the second time and will pass sent to the Upper House by William Stoughton Esq^r and M^r Weems

Major Gale is added to the Committee of Laws

L. H. J.

Samuel Chamberlain & Philip Thomas Esq^{rs} from the Upper House deliver M^r Speaker the Bill entituled An Act to enforce the Collection and Payment of the Public Charge of this Province &c^a Indorsed (See page 272)

Which Bill was here Read and Passed for Ingrossing

William Stoughton Esq^r from the Committee of Laws delivers M^r Speaker A Bill entituled An Act to prevent the Exportation of Indian Corn for the time therein Limited

Which Bill was read the first time and ordered to lie on the Table

The House Adjourns until the Morrow Morning at nine of the Clock

Wednesday Morning September 29th 1742

Sept. 29

The House met according to Adjournment &c^a

William Stoughton Esq^r from the Committee of Laws delivers M^r Speaker A Bill Entituled An Act for Limitation of Officers Fees, which was Read the first time and Ordered to lie on the Table

James Harris Esq^r from the Upper House delivers M^r Speaker A Bill entituled An Act for reviving an Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law &c^a Indorsed (See page 272)

Which Bill was here Read and passed for Ingrossing

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled an Act for reviving an Act of Assembly of this Province Entituled An Act for the speedy Recovery of small debts out of Court before a single Justice of the Peace Indorsed (See page 272)

Which Bill was read here and passed for Ingrossing

p. 324

William Stoughton Esq^r from the Committee of Laws delivers M^r Speaker an Ingrossed Bill entituled An Act to enforce the Collection and Payment of the Public Charge of this Province pursuant to an Act of Assembly entituled An Act for the Assessment and Payment of the Public Charge of this Province made at A Session of Assembly begun and held at the City of Annapolis the 26th day of May Anno Domini 174[1] which Bill was read and Assented to and sent to the Upper House with the Paper Bill by M^r Nicholas Goldsborough and M^r Chesley

Col^o King from the Committee of Laws delivers M^r Speaker an Ingrossed Bill entituled An Act for the Advancement of Justice which Bill was read the first and second time by an especial Order and Passed, sent to the Upper House by M^r Philip Hammond and five more

This day having been appointed for Consideration of his Lordships Speech to both Houses this Session the same is thought proper by the House to be referred for Consideration on Tuesday next

The House Adjourns until 2 of the Clock in the Afternoon

L. H. J.

Post Meridiem

The House met according to Adjournment &c^a

On Reading the second time the Bill entituled An Act to prevent the Exportation of Indian Corn, for the time therein limited, A Motion was made that Wheat be also included in the Bill; and a Question being thereon put was carried in the Affirmative

For the Affirmative

M ^r Waughop	M ^r Stoughton	M ^r Hindman
Swann	Gale	Lecompte
Chesley	Martin	Scott
Griffith	Goldsborough	Magruder
P. Hammond	Lloyd	Wootton
Worthington	Thomas	Sprigg
Weems	J Goldsborough	T. Wilkinson
King	Ennalls	T. Hammond

For the Negative

M ^r R. Gresham	M ^r Brome	M ^r Sheredine
Wilson	Smallwood	Caswell
Calder	Yeates	Paca
J Gresham	W. Wilkinson	Gordon
Carroll	George	Pemberton
Henry Hall	Colvil	Wright
Smith	Pearce	
Joseph Hall	Heyland	

The Bill entituled An Act to prevent the Exportation of Indian Corn &c^a Read and committed for Amendments

The Bill entituled An Act to revive an Act of Assembly of this Province entituled An Act for the Relief of poor Debtors Read the second time and will Pass

An Ingrossed Bill Entituled An Act reviving an Act of Assembly of this Province Entituled An Act for the speedy Recovery of small debts out of Court, before a Single Justice of the Peace, and an Ingrossed Bill Entituled An Act for reviving an Act of Assembly Entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for reviving and continuing the Supplementary Act thereto.

Were severally Read and Assented to

The House Adjourns until the Morrow Morning at nine of the Clock

Thursday Morning September 30. 174[2]

L. H. J.
Sept. 30

The House met according to Adjournment &c^a

William Stoughton Esq^r from the Committee of Laws delivers p. 325
M^r Speaker A Bill entituled A Supplementary Act to the Act entituled An Act for the Relief of Debtors and ascertaining the manner of Tenders in Tobacco and to the Supplementary Act thereto Which Bill was read the first time and Ordered to lie on the Table

Captain Sheredine hath Leave of the House to go Home

The Bill entituled An Act for the better Relief of poor Debtors, was sent to the Upper House by William Stoughton Esq^r and M^r Griffith

The Ingrossed Bill entituled an Act for reviving an Act of Assembly entituled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and for reviving and continuing the Supplementary Act thereto was sent to the Upper House with the Paper Bill by M^r Joseph Hall and M^r John Gresham

The Ingrossed Bill entituled An Act reviving an Act of Assembly of this Province Entituled An Act for the speedy Recovery of small debts out of Court before a Single Justice of the Peace was sent to the Upper House with the Paper Bill by Captain Ennalls and M^r Richard Gresham

Col^o King from the Committee of Laws delivers M^r Speaker A Bill entituled An Act for Enlarging the Jurisdiction of the County Courts within this Province, which was Read the first Time and Ordered to lie on the Table.

George Plater Esq^r from the Upper House delivers M^r Speaker the Paper Bill entituled An Act to enforce the Collection and Payment of the Public Charge of this Province pursuant to an Act of Assembly Entituled An Act for the Assessment of the Public Charge of this Province &c^a Indorsed (See page 273)

Daniel Dulany and Samuel Chamberlain Esq^r from the Upper House, acquaints M^r Speaker that the Governor requires the Attendance of M^r Speaker and the House in the Upper House to see the Ingrossed Bill Entituled An Act to enforce the Collection and Payment of the Public Charges of this Province pursuant to an Act of Assembly entituled An Act for the Assessment of the Public Charge of this Province made at a Session of Assembly begun and held at the City of Annapolis the 26th day of May Anno Domini 1741 passed into a Law

M^r Speaker left the Chair and attended by the House went to the Upper House where M^r Speaker presented to his Excellency the Act Entituled An Act to enforce the Collection and Payment of the Public Charges of this Province, which his Excellency passed into a Law in the usual Form

L. H. J. M^r Speaker and the House returned
 M^r Speaker resumed the Chair
 The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment, The Members all appeared at the call as in the Morning except Captain Sheredine

Ordered that M^r Jonas Green do print 24 Copies of the Act entituled An Act to enforce the Collection and Payment of the Public Charge &c^a

On Motion of a Member that a Bill be brought in for the better Establishment and Regulation of the several Ferries within this Province Leave is given.

Ordered that the Committee of Laws prepare and bring in such Bill

The House Adjourns to the Morrow Morning at 9 of the Clock

October 1
p. 326

Friday Morning October 1st 1742

The House met according to Adjournment All Members present as Yesterday except Captain Sheredine

The Bill entituled An Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise, Read the second time and will Pass; Sent to the Upper House by M^r Smith and Eleven more,

The Bill entituled An Act for Enlarging the Jurisdiction of the County Courts was read the second time and will Pass sent to the Upper House by M^r Wootton and four more

The Bill entituled A Supplementary Act to the Act entituled An Act for the Relief of Debtors and ascertaining the manner of Tenders in Tobacco and to the supplementary Act thereto; was Read the second time and will Pass sent to the Upper House by M^r Wilson and four more

Col^o Hammond from the Upper House delivers M^r Speaker A Petition of the Rector, Vestry Churchwardens and Principal Inhabitants of S^t Mary Anne Parish in Cecil County praying Leave to bring in a Bill to enable and direct the Justices of the said County to levy on the Taxable Inhabitants of the Parish a Sum not exceeding 800 £ to build A Church where the old one now Stands

And A Petition of sundry the Inhabitants of Prince Georges County, praying Leave to have 60 Acres of Land laid out for a Town at or near the Garrison Landing.

Which Petitions were severally Indorsed By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House

The aforesaid Petitions were here severally Read and Leave given L. H. J.
to the aforesaid Petitioners to bring in Bills according to Prayer
The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

On Motion Leave given to bring in a Bill for the Support of
Government

Samuel Chamberlain Esq^r from the Upper House delivers
M^r Speaker the Bill entituled An Act for the Advancement of Jus-
tice Indorsed (See page 275)

Which Bill was here Read, the Amendments agreed to, and passed
for Ingrossing.

M^r Benjamin Tasker a Member elected to serve for the City of
Annapolis appeared in the House Captain Gordon and M^r Worth-
ington ordered to go to the Upper House and see him qualified, they
return and acquaint M^r Speaker they saw him qualified by taking
the several Oaths to the Government required by Law, signing the
Oath of Abjuration and repeating and signing the Test

The Gentleman took his Place in the House

On Reading the second time the Bill entituled An Act to prevent
the Exportation of Indian Corn and Wheat for the time therein
Limited, the Question was put, whether the said Bill shall pass or
not? Resolved in the Affirmative

For the Affirmative

p. 327

M ^r Waughop	M ^r Stoughton	M ^r Lecompte
Swann	Gale	Caswell
Griffith	Martin	Scott
Chesley	N. Goldsborough	Magruder
Carroll	T. Hammond	Wootton
P. Hammond	Lloyd	Sprigg
Worthington	Thomas	Tasker
Weems	J. Goldsborough	T. Wilkinson
Brome	Ennalls	
King	Hindman	

For the Negative

M ^r R. Gresham	M ^r J. Hall	M ^r Pearce
Wilson	Smallwood	Hyland
Calder	W. Wilkinson	Paca
J Gresham	Yeates	Gordon
Henry Hall	George	Pemberton
Smith	Colvill	Wright

L. H. J. M^r Richard Gresham, M^r John Gresham, Mess^{rs} Nicholas and John Goldsborough and M^r Lloyd have Leave to go home
The House Adjourns until the Morrow Morning at 9 of the Clock

October 2 Saturday Morning October 2^d 1742

The House met according to Adjournment, All the Members appeared at the call except Mess^{rs} John and Richard Gresham, Mess^{rs} Nicholas and John Goldsborough and M^r Lloyd

The Bill entituled An Act for the Advancement of Justice was Read and with the Amendments passed for Ingrossing

Col^o King from the Committee of Laws delivers M^r Speaker A Bill entituled An Act to prevent the ill Practices of Sheriffs in the Collecting and Payment of the Public and County Levies, which was Read the first time and Ordered to lie on the Table

The Bill Entituled An Act to prevent the Exportation of Indian Corn and Wheat for the time therein limited sent to the Upper House by M^r Waughop and M^r Lecompte

Captain Paca being very much indisposed hath Leave of the House to go home

The House Adjourns until Monday Morning at nine of the Clock

October 4 Monday Morning October 4. 1742

The House met according to Adjournment &c^a

All Members appeared at the call except Captain Paca Mess^{rs} Nicholas and John Goldsborough Mess^{rs} John and Richard Gresham
M^r Lloyd appeared in the House

On Motion of a Member that Leave may be given to bring in a Supplementary Bill to the Act for the Repairing the damages already sustained in the Records of the Land Secretarys Commissarys and County Court Offices and for Security of the same Records for the future Leave given and Ordered that the Committee of Laws prepare and bring in such Bill

On Motion of a Member that Leave may be given to bring in a Bill to oblige practising Attorneys to swear, they had finished the Suits in which they were employed before any Execution shall issue to empower the Sheriffs to Collect their Fees, Leave is given and Ordered that the Committee of Laws prepare and bring in such Bill

Col^o King from the Committee of Laws delivers M^r Speaker A Bill entituled a Supplementary Act to the Act Entituled An Act for repairing the Damages already Sustained in the Records of the Land
p. 328 Secretarys Commissarys and County Court [Offices] and for Security of the same Records for the future, which Bill was Read the first time and Ordered to lie on the Table

Ordered that no Accounts for Public Claims, be received after the L. H. J.
12th Instant

Ordered also that no Petitions be received in this House after the
12th Instant

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

Captain Richard Harrison M^r Lloyd and M^r Sheredine appeared
in the House this Afternoon

The Bill entituled An Act to prevent the ill Practices of Sheriffs
in the Collecting and Payment of the Public and County Levies,
Read and committed for Amendments

Edmund Jenings Esq^r from the Upper House delivers M^r Speaker
several Petitions of Prisoners for Debt, in the several Goals in this
Province Indorsed By the Upper House of Assembly, Referred to
the Consideration of the Lower House which Petitions were here
Read and Ordered to lie on the Table

The House Adjourns until the Morrow Morning at nine of the
Clock

Tuesday Morning October 5. 1742

October 5

The House met according to Adjournment &c^a

Mess^{rs} John and Richard Gresham with M^r John Goldsborough
appeared this day

The Bill entituled An Act for Limitation of Officers Fees was
committed to the Committee of Laws for Amendments

The Bill entituled A Supplementary Act to the Act entituled An
Act for repairing the Damages already Sustained in the Records of
the Land Secretaries Commissarys and County Court Offices and for
Security of the same Records for the future was read the second
time and will pass

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met again according to Adjournment &c^a

This day being appointed by Reference for Consideration of his
Lordships Speech it is Referred for Consideration to a further day

The House Adjourns until to Morrow Morning at 9 of the Clock

Wednesday Morning October 6. 1742

October 6

The House met according to Adjournment &c^a

All Members appeared at the call that were present Yesterday

L. H. J. The Serjeant at Arms attending this House being Sick. Thomas King offers himself to Officiate in his Stead, the House approves him Ordered that M^r Henry Hall do Administer the several Oaths to the Government to him and also the Oath of Office required

M^r Hall acquaints M^r Speaker he had Administred the several Oaths to the Government required by Law to Thomas King which he had duly taken, had Signed the Oath of Abjuration, repeated and signed the Test and had taken the Oath of Office

The Bill entituled An Act to prevent the ill Practices of Sheriffs in the Collecting and Payment of the Public and County Levies, Read the second time and will Pass.

James Holliday Esq^r from the Upper House delivers M^r Speaker
p. 329 the Bill Entituled An Act to prevent the Exportation of Indian Corn &c^a for the time therein limited, Indorsed (See page 276)

Which Amendments were agreed to, and the said Bill with the Amendments was Read and Passed for Ingrossing

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r Magruder from the Committee of Aggrievances delivers M^r Speaker the following Report viz.

By the Committee of Aggrievances & Courts of Justice

Whereas Complaint hath been made to your Committee by M^r Walter Smith A Member of the House for Calvert County, that the Justices of the said County at November Court Anno Domini 1741, Contrary to the Acts of Assembly of this Province, Assessed and Levied from the Inhabitants of the said County the whole of the Levy of the same, for the said Year in Money the greater part of which by the said Acts are directed to be Assessed in Tobacco, All which Appears by the List of the said Levy, and a Transcript of the said Court under the Seal of Office of the same hereunto annexed

Your Committee humbly submit the Whole to the Consideration of the Honourable House

Signed p Order Nich: Hammond Ct Com.

October 6. 1742

On Reading the said Report, and Examination into the Facts therein contained

The House unanimously Resolved the same to be an Aggrievance

On Motion that the Justices of Calvert County (complained of in the Report) be sent for to appear at the Bar of this House to shew Reason if any they had why they acted in such manner

A Question was put that the said Justices be sent for Resolved in the Negative

For the Affirmative

L. H. J.

M ^r Chesley	M ^r Worthington	M ^r Lecompte
R. Gresham	Smith	Magruder
J. Gresham	Joseph Hall	T. Hammond
Henry Hall	W. Wilkinson	Wootton

For the Negative

M ^r Waughop	M ^r King	M ^r Colvil	p. 330
Swann	Gale	Hyland	
Griffith	Martin	Sheredine	
Wilson	Lloyd	Caswell	
Calder	Thomas	Scott	
Carroll	T. Wilkinson	Sprigg	
P. Hammond	J. Goldsborough	Gordon	
Smallwood	Ennalls	Pemberton	
Harrison	Hindman	Wright	
Yeates	George		

The Ingrossed Bill Entituled An Act for the Advancement of Justice, was Read and Assented to, and sent to the Upper House, with the Paper Bill by Captain Martin and M^r Griffith

The Bill Entituled A Supplementary Act to the Act entituled An Act for repairing the Damages already Sustained in the Records &c^a sent to the Upper House by M^r Sprigg and Captain Hindman

On Motion of a Member that A Bill be brought in to raise a Sum of Money for Arms and Ammunition for Defence of this Province. Leave is given and Ordered that the Committee of Laws prepare and bring in such Bill accordingly

The Bill entituled An Act to prevent the ill Practices of Sheriffs in the Collecting and Payment of the Public and County Levies; sent to the Upper House by M^r Smith and M^r William Wilkinson

The House Adjourns until the Morrow Morning at nine of the Clock

Thursday Morning October 7. 1742

October 7

The House met according to Adjournment

All Members appeared at the call that were Present Yesterday

On Motion of a Member for Leave to have a Bill brought in, to raise three half Pence Sterling on every Hogshead of Tobacco to be exported out of this Province for the Use of the Governor

The Question was put that Leave be given to bring in the said Bill, Resolved in the Affirmative

L. H. J.

For the Affirmative

M ^r Waughop	M ^r Gale	M ^r George
Swann	King	Colvill
Griffith	Martin	Sheredine
Chesley	Lloyd	Caswell
R. Gresham	Thomas	Scott
Calder	J. Goldsborough	Gordon
J. Gresham	Ennalls	Tasker
Smith	Hindman	Wright
Weems	Lecompte	T. Wilkinson

For the Negative

M ^r Wilson	M ^r Smallwood	M ^r Wootton
Carroll	Harrison	Sprigg
P. Hammond	W. Wilkinson	Pemberton
Henry Hall	Yeates	T. Hammond
Worthington	Hyland	
Joseph Hall	Magruder	

On Motion of a Member that Leave may be given to bring in a Bill to raise three half Pence Sterling on every Hogshead of Tobacco for the Use of the County Schools Granted and Ordered that the Committee of Laws prepare and bring in such Bill

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

The Printed Copies of the Act entituled An Act to enforce the Collection and Payment of the Public Charge of this Province &c^a (Ordered to be Printed) were brought into the House

p. 331 Col^o King and M^r Calder are sent to wait on his Excellency, with twelve of the said Copies to request he will please to Order that the Public Seal of the Province may be affixed thereto such being Authentic Copies of such Act passed in usual Form this Session, and that they may be dispatched to the respective Sheriffs of this Province for immediate Promulgation

Col^o King from the Committee of Laws delivers M^r Speaker A Bill entituled An Act for raising an Annual Revenue for the support of the Station and Dignity of his Lordships Governor actually residing within this Province for the time being which Bill was read the first time and Ordered to lie on the Table

The House Adjourns until the Morrow Morning at nine of the Clock

Friday Morning October 8. 1742

L. H. J.
October 8

The House met according to Adjournment

All Members appeared as Yesterday except M^r Philip Hammond, M^r Pearce and M^r Brome

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker A Petition of the Freeholders of Baltimore Town praying Leave to enlarge their Town and build A Bridge over Jones's Falls: A Petition of the Inhabitants of Prince Georges County praying Leave to bring in a Bill to divide their County and A Petition of Saint Paul's Parish in Baltimore County to raise a Sum of Money to build A Chappel of Ease

James Harris Esq^r delivers M^r Speaker A Bill entituled An Act to revive An Act of Assembly of this Province Entituled An Act for the better Relief of Poor Debtors; Indorsed (See page 279)

Which Bill was Read and Passed for Ingrossing

The House Adjourns until 2 of the Clock in the afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r Smith from the Committee of Elections and Priviledges delivers M^r Speaker the following Report viz.

By the Committee of Elections and Priviledges October 8, 1742

Your Committee examined the Writs and inspected the several Indentures of the Members returned to serve this Assembly do find that the several Writs directed to the several Sheriffs of this Province are duly returned

We likewise find that M^r James Waughop, M^r James Swann M^r John Griffith and M^r Robert Chesley Members returned for Saint Marys County are duly Elected

That M^r [Richard Gresham] M^r George Wilson M^r James Calder and M^r John Gresham returned Members for Kent County are duly Elected

That Doctor Charles Carroll M^r Philip Hammond M^r Henry Hall and M^r [Thomas] Worthington returned Members for Ann Arundel County are duly Elected

That M^r Walter Smith M^r James Weems, M^r Joseph Hall and M^r John Brome returned Members for Calvert County are duly Elected

That M^r Bayne Smallwood, M^r Richard Harrison, M^r William Wilkinson and M^r Robert Yeates Members returned for Charles County are duly Elected

That M^r Nicholas Goldsborough M^r Robert Lloyd M^r William Thomas M^r John Goldsborough Members returned for Talbot County are duly Elected

L. H. J. That Major Henry Trippe Captain Bartholomew Ennalls Captain Jacob Hindman and M^r Philemon Lecompte, Members returned for Dorchester County are duly Elected.

p. 332 That M^r Joshua George Col^o Thomas Colvil M^r Benjamin Pearce and M^r Nicholas Hyland Members returned for Cecil County are duly Elected

[The Manuscript omits a sentence. That Col Robert King, William Stoughton, Esq., Major Geo. Gale, and Capt. James Martin, Members returned for Somerset County are duly elected]

That Captain Thomas Sheredine Captain Richard Caswell Captain Aquila Paca and M^r Daniel Scott Members returned for Baltimore County are duly Elected

That M^r John Magruder Col^o Edward Sprigg M^r Turnor Wootton and M^r Osborn Sprigg Members returned for Prince Georges County are duly Elected

That Daniel Dulany Esq^r and Captain Robert Gordon Members returned for the City of Annapolis are duly Elected and that the said Daniel Dulany Esq^r since the Meeting of this Assembly has been called to the Council Board and that since his being called there M^r Benjamin Tasker Junior a Member returned in his Stead, is duly Elected

That M^r Grundy Pemberton M^r Robert Norrest Wright M^r Thomas Wilkinson and M^r Thomas Hammond, Members returned for Queen Annes County are duly Elected

All which your Committee humbly submit to the Consideration of the House Signed p Order T. Jennings Cl Com.

Col^o King from the Committee of Laws delivers M^r Speaker a Bill entituled an Act enabling the Justices of Cecil County to levy on the Taxable Inhabitants of Saint Mary Annes Parish in the County aforesaid the Sum of £800 and

A Bill entituled an Act to oblige Attorneys to prove their List of Fees before they obtain Execution for the same

Which Bills were severally Read and Ordered to lie on the Table

The Petition of the Inhabitants of Prince Georges County praying Leave to have a new County according to the division mentioned in the said Petition Read and Granted

Col^o Hammond, from the Upper House delivers, M^r Speaker the Bill Entituled, an Act to prevent the ill Practices of Sheriffs &c Indorsed (See page 279)

Col^o King from the Committee of Laws delivers M^r Speaker A Bill entituled An Act for the better Establishing and Regulating of Ferries within this Province which Bill was Read the first time and Ordered to lie on the Table

Col^o King from the Committee of Laws delivers M^r Speaker the Bill entituled An Act for Limitation of Officers Fees

The House Adjourns until the Morrow Morning at nine of the Clock

Saturday Morning October 9th 1742

L. H. J.
October 9
p. 333

The House met according to Adjournment &c^a

All Members appeared in the House as yesterday except M^r George

The Bill entituled an Act to prevent the ill Practices of Sheriffs in Collecting and Payment of the Public and County Levies was read and with the Amendments passed for Ingrossing

M^r William Wilkinson hath Leave of the House to go home

James Holliday Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act for the Trial of all matters of Fact in the several Counties where they have arisen or shall arise Indorsed (See page 279)

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker Sevⁿ Petitions of languishing Prisoners in several Goals of this Province

The Bill entituled an Act for Limitation of Officers Fees was Read and re-committed for Amendments

The House Adjourns until Monday Morning at nine of the Clock

Monday Morning October 11. 1742

October 11

The House met according to Adjournment &c^a

M^r Nicholas Goldsborough appeared in the House

The Bill entituled An Act enabling the Justices of Cecil County to levy on the Taxable Inhabitants of Saint Mary Annes Parish in the County aforesaid the sum of Eight hundred Pounds Read the second time and will pass sent to the Upper House by M^r Hyland and Captain Hindman

The Bill entituled an Act to oblige Attorneys to prove their Lists of Fees before they obtain Execution for the same Read the second time and will pass Sent to the Upper House by Captain Hindman and M^r Hyland

The Bill entituled an Act for the Trial of all matters of Fact &c^a was Read and passed for Ingrossing

Col^o Gale from the Upper House delivers M^r Speaker the Petition of sundry Inhabitants of Somerset County praying Leave to erect a new County which was here Read. M^r Smith Captain Ennalls Captain Hindman and M^r Calder appointed a Committee to enquire into the most proper Place to ascertain a Line whereby to divide Somerset County.

An Ingrossed Bill entituled an Act to revive an Act of Assembly of this Province Entituled an Act for the better Relief of Poor Debtors, was Read and Assented to and sent to the Upper House with the Paper Bill by Mess^{rs} Pemberton & Chesley

- L. H. J. An Ingrossed Bill entituled An Act to prevent the Exportation of Indian Corn for the time therein Limited, Read and Assented to sent to the Upper House with the Paper Bill by M^r Lloyd and M^r Tasker
The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c
M^r Philip Hammond and M^r George appeared in the House
The House Adjourns until the Morrow Morning at Nine of the Clock

October 12
p. 334

Tuesday Morning October 12. 1742

The House met according to Adjournment &c^a

It being made appear to this House that a Member thereof had been Challenged yesterday by Samuel Ogle Esq^r late Governor of Maryland and otherways Insulted by Onorio Razolini and that Doctor Geo Stuart was the Messenger who carried the Challenge from the said Samuel Ogle Esq^r

It is Resolved unanimously that the Challenging or otherways insulting a Member of this House is an absolute Violation of its Just Rights and Priviledges and that the said Samuel Ogle Esq^r hath in a high Degree been guilty of the same

Ordered thereupon that the Serjeant at Arms take the said Samuel Ogle Esq^r into his Custody In Order that he answer to this honourable House for the Offence aforementioned

And that he likewise take into his Custody the said Onorio Razolini and Doctor George Stewart and them detain until they be discharged therefrom by further Order of this House

By Virtue of the said Order the Serjeant at Arms went to Execute the said Order

On his Return he acquainted M^r Speaker that he went to M^r Taskers House and enquired of him for M^r Ogle. The said Tasker desired him the Serjeant to sit down, the said Tasker left the Room and sometime after came and acquainted him the said Serjeant that the said M^r Ogle was not to be Spoke with

George Plater and Edmund Jenings Esq^r from the Upper House acquaint M^r Speaker the Governor requires the Attendance of the Lower House in the Upper House

M^r Speaker left the Chair and attended by the whole House went to the Upper House where his Excellency was pleased to make a Verbal Speech which M^r Speaker upon his Return with the whole House and resuming the Chair declared to be as near as he could recollect as follows viz.

Gentlemen

L. H. J.

Since I came upon the Hill I have heard that there has an unhappy difference arose between the late Governor and a worthy Member of your House whereby the Rights and Priviledges of your House are concerned

Gentlemen

I can assure you I shall always have the greatest Regard to the Priviledges of your House, and must request it as a Favour considering the Station that Gentleman did bear here and the circumstances of his Affairs at this time, being just going to Embark for England, and I shall take it as a favour done to myself if at this time you'll let the Affair drop as to M^r Ogle, I do assure you there is nothing in my Power that I would not grant to your House or to any particular Gentleman thereof

The House after due Deliberation thereupon Resolved that although the Offence of the said Samuel Ogle Esq^r was an open Insult and an high Violation of the Rights and Priviledges of this House yet at the especial Instance and Request of the Governor they would drop the Affair as to M^r Ogle saving and Asserting the Right of the House of Delegates at all times to call to an Account and Punish all Persons who shall presume to Offer to them or any Member of their House the least Affront or Indignity p. 335

Ordered that Col^o King M^r Philip Hammond M^r Stoughton Col^o Colvil and M^r Calder prepare an Address to his Excellency

M^r Calder brings in an Address to his Excellency

Which was Read approved and Ordered to be Ingrossed

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

M^r Calder delivers M^r Speaker the following Address Ingrossed viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland

The humble Address of the House of Delegates

May it please your Excellency

As We were certainly Informed that Samuel Ogle Esq^r had sent a Person to Challenge one of our Members, who had also been otherwise greatly insulted through his Means, we could not in Justice to the Rights and Priviledges of ourselves and those whom We represent pass that Affair over without taking Notice of it in the most Public manner

But since your Excellency has been pleased to desire as a favour to yourself that we would desist proceeding further as to M^r Ogle who is just upon the point of leaving the Province, we in Compliance to your Excellencys request have dropt the Affair as to him

L. H. J. We return your Excellency our hearty Thanks for your promising always to support our Priviledges and do very sincerely assure you that We shall be ready and willing on all Occasions to do any thing in our Power to Oblige you

Which was Read and Assented to and signed by Order of the House by the Honourable Speaker

William Stoughton Esq^r and M^r Sheredine Ordered to acquaint his Excellency this House hath prepared an Address to him and desires to know when and where he will please to receive it

They return and acquaint M^r Speaker the Governor informed them he would be ready to receive it immediately in the Conference Chamber

Whereupon Col^o King and twelve more are sent to present the Address to his Excellency they return and acquaint M^r Speaker they presented the Address

Several Petitions of languishing Prisoners were read and Granted
The House Adjourns until the Morning at nine of the Clock

October 13

Wednesday Morning October 13. 1742

The House met according to Adjournment &c^a

M^r William Wilkinson appeared in the House

The Ingrossed Bill entituled An Act to prevent the ill Practices of the Sheriffs in the Collecting and Payment of the Public and County Levies sent to the Upper House with the Paper Bill by M^r Joseph
p. 336 Hall and M^r Thomas Hammond

Philip Thomas Esq^r from the Upper House delivers M^r Speaker A Petition of John Digges which was here Read and leave given to bring in a Bill according to Prayer

On Motion of a Member for Leave to bring in a Bill to erect a Town at a Place called Long Point on the North side of North East River in Cecil County Leave is given to bring in a Bill accordingly.

On Reading a Petition of Charles Carroll Esq^r preferred to this House praying Leave to Bring in a Bill &c. the same is referred for Consideration on the next Tuesday

Ordered that the Petitioner give Notice to all Persons concerned

The Governor communicated to M^r Speaker the following Answer
Gentlemen of the Lower House of Assembly

Your Readiness to comply with the Request I made you has very much obliged me but I cannot help acquainting you, my desire was that the whole Affair might entirely cease
Thomas Bladen

13th October 1742

In compliance with which request of his Excellency Ordered that the Clerk of this House acquaint Samuel Smith Esq^r Sheriff of this

County that he discharge Doctor George Stuart from his Custody L. H. J. and that he himself is discharged from further Attendance on this House, Ordered also that the Clerk inform the Serjeant at Arms that he surcease Execution of his Warrant against M^r Onorio Razolini always saving and reserving to this House its several just Rights and Priviledges

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

On Motion of a Member that an Address be prepared to his Excellency the Governor relating to the Affair of the Justices of Calvert County the Question was put Whether an Address be prepared or not? Resolved in the Negative

For the Affirmative

M ^r Swann	M ^r H. Hall	M ^r Stoughton
Chesley	Worthington	Sheredine
R. Gresham	Smith	Magruder
J. Gresham	J. Hall	Wootton
Carroll	W. Wilkinson	

For the Negative

M ^r Waughop	M ^r Martin	M ^r Hyland
Griffith	N. Goldsborough	Caswell
Wilson	Lloyd	Scott
Calder	Thomas	Sprigg
P. Hammond	J. Goldsborough	Gordon
Smallwood	Ennalls	Tasker
Harrison	Hindman	Pemberton
Yeates	Lecompte	Wright
King	George	T. Wilkinson
Gale	Colvill	T. Hammond

The Question was put Whether there should be any further Resolve Entered upon the Journal on the aforesaid affair or not? Resolved in the Affirmative

For the Affirmative

M ^r Swann	M ^r Gale	M ^r Hyland
Griffith	Martin	Caswell
Wilson	Lloyd	Scott
Calder	N. Goldsborough	[Sprigg]
Carroll	Thomas	Tasker

L. H. J.	P. Hammond	J. Goldsborough	Pemberton
	Gordon	Ennalls	Wright
	Smallwood	Hindman	T. Wilkinson
	Harrison	Lecompte	T. Hammond
	Yeates	George	
	King	Colvil	

For the Negative

M ^r Waughop	M ^r Worthington	M ^r Sheredine
Chesley	Smith	Magruder
R. Gresham	J. Hall	Wootton
J. Gresham	W. Wilkinson	
H. Hall	Stoughton	

Resolved by this House that the levying Tobacco or Money upon the Inhabitants of Maryland otherwise or to other Purposes then are directed by Law is a violation of the Peoples Property and an Infringement of their Rights and Priviledges

And it is further Resolved by this House that the Justices of Calvert County have been guilty of a very great Transgression in presuming to lay their Levy in Money without any Law to support the same and which this House would not have passed by in so easy a manner, but for that it appears to have been done without any Intention to oppress the People

Edmund Jenings Esq^r from the Upper House delivers M^r Speaker a Petition of the Rector Vestrymen and Church Wardens of Saint Annes Parish in Anne Arundel County and A Petition of Ashbury Sutton &c^a severally Indorsed By the Upper House Read and Recommended to the Consideration of the Lower House of Assembly

The House Adjourns until the Morrow Morning at nine of the Clock

October 14

Thursday Morning October 14. 1742

The House met according to Adjournment &c^a

All Members present at the call as yesterday except M^r Philip Hammond

The Bill entituled an Act for the Limitation of Officers Fees was Read the second time and will pass sent to the Upper House by M^r Smith and twelve more

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker a Petition of Charles Gannon a languishing Prisoner in Talbot County Goal which was here Read and Granted

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

L. H. J.

The House met according to Adjournment

On Motion of a Member that a Bill be brought in to remedy the evils in the present manner of Probat of Accounts Leave given and Ordered that the Committee of Laws prepare and bring in such Bill

Resolved that this House do not proceed on any new Business after Saturday next.

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled an Act enabling the Justices of Cecil County to levy on the taxable Inhabitants of Saint Mary Annes Parish in the County aforesaid the Sum of 800£ &c^a Indorsed (See page 282)

Which Bill was here Read and passed for Ingrossing p. 338

On Motion of a Member that the Bill entituled an Act for raising an Annual Revenue for the Support of the Station and Dignity of his Lordships Governor actually residing within this Province for the time being be Read the second Time

The Question was put Whether the said Bill shall be now Read or not Resolved in the Negative

The House Adjourns until the Morrow Morning at 9 of the Clock

Friday Morning October 15. 1742

October 15

The House met according to Adjournment &c^a

On Motion of a Member that Leave may be given to bring in a Bill to make his Lordship an Equivalent in Lieu of his Alienation Fines and Quit Rents

The Question was put Whether Leave shall be given to bring in such Bill, or not. Resolved in the Affirmative

For the Affirmative

M^r R. Gresham
Wilson
Calder
J. Gresham
Harrison
W. Wilkinson
King
Stoughton
Gale

M^r Thomas
Martin
Ennalls
Hindman
Lecompte
George
Hyland
Sheredine
Caswell

M^r Gordon
Tasker
Scott
Pemberton
Wright
T. Wilkinson
T. Hammond

L. H. J.

For the Negative

M ^r Waughop	M ^r Worthington	M ^r J. Goldsborough
Swann	Smith	Colvill
Griffith	Jos. Hall	Wootton
Carroll	Smallwood	Magruder
Chesley	Yeates	Sprigg
H. Hall	N. Goldsborough	

Ordered that the Committee of Laws prepare and bring in such Bill.

On Motion that the Bill entituled an Act for the better Establishing and Regulation of Ferries have a second Reading.

The Question was put Whether the said Bill should have a second Reading now, or not? Resolved in the Negative

For the Negative

M ^r Waughop	M ^r Martin	M ^r Hyland
Swann	Lloyd	Sheredine
Griffith	N. Goldsborough	Scott
Chesley	Thomas	Gordon
Wilson	J. Goldsborough	Tasker
Calder	Ennalls	Wright
W. Wilkinson	Hindman	Pemberton
King	George	T. Wilkinson
Stoughton	Lecompte	T. Hammond
Gale	Colvill	

For the Affirmative

M ^r R. Gresham	M ^r Smith	M ^r Yeates
J. Gresham	Weems	Caswell
Carroll	J. Hall	Wootton
H. Hall	Smallwood	Magruder
Worthington	Harrison	Sprigg

George Plater Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act to oblige Attorneys to prove their Lists of Fees before they obtain Execution for the same Indorsed (See p. 339 page 283)

Daniel Dulany Esq^r from the Upper House delivers M^r Speaker a Petition of the Back Inhabitants of Prince Georges County praying to have the County divided at the Mouth of Monococy Indorsed (See page 283)

Doctor Carroll delivers M^r Speaker the following Report To the Honourable the House of Delegates

To Comply with the following Order of the House the Subscriber wrote a Letter to Daniel Dulany Esq^r a Copy whereof herein

after incerted; but having no Answer thereto, did not think proper L. H. J.
by himself to proceed to the Execution of the same Order which is
humbly Submitted to the Consideration of the House

Charles Carroll

Sir

In Pursuance of an Order of the House of Delegates last Session
that You and myself should Collect Copies of the Acts of Virginia
touching Testamentary and Administration Affairs, and Fees re-
lating to them; I have perused all the Laws of that Colony that
I have and find the following viz.

4 Anne Chap. 13 10 Anne Chap 2 Sect. 5; 12 &c^a 1 George
2 Chap. 11 3 & 4 George 2 Chap 8

Which with the Table as an Index thereto, appear to me the only
to be Collected and given to M^r Green to be Printed and the Fees
allowed in the Secretarys & County Court Offices, on the same by
12 Geo: 2^d Chap 10 which is the latest Act I find of that Colony
regulating Officers Fees

If you judge any thing further needful from those Laws, I shall
be ready to Join with you to discharge the Trust reposed in us.

That the Intention of the House may appear I propose the Inclosed
Introduction to these Laws or Collection and am Sir

Your most humble and Obedient Servant

To Daniel Dulany Esq^r

C Carroll

In Obedience to the following Order of the House of Delegates
of the Province of Maryland, this Collection of the Laws of the
Colony of Virginia relating to Testamentary and Administration
Affairs is made by their Most Obedient and Humble Servants

D. Dulany C. Carroll

At a Session of Assembly, held at the City of Annapolis on Tues-
day the 26th day of May In the 27th year of the Dominion of the
Right hoⁿble Charles Absolute Lord and Proprietary of the Prov-
inces of Maryland and Avalon Lord Baron of Baltimore In the
Journal of the Lower House the following Entry was made (See
page 226)

p. 340

On Reading thereof the House approves it and unanimously com-
mend the Care and diligence used by Doctor Carroll in complying
on his part with the Order of this House

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

M^r Wilson Captain Sheredine M^r Weems M^r Magruder, M^r John
Goldsborough, M^r Thomas, M^r John Gresham, and Captain Martin

L. H. J. appointed a Committee to enquire what his Lordships Quit Rents and Alienation fines amount to.

On Motion of a Member that a Bill for the Support of Government be added to the Bill ordered to be brought in for giving an Equivalent to his Lordship in Lieu of his Alienation Fines and Quit Rents

The Question was put Whether the Support of Government shall be added to his Lordships Quit Rents: Resolved in the Negative

For the Negative

M ^r Waughop	M ^r Harrison	M ^r Hyland
Swann	W. Wilkinson	J. Goldsborough
Griffith	Yeates	Sheredine
Chesley	King	Caswell
Wilson	Stoughton	Magruder
Calder	Gale	Wootton
Carroll	Martin	Sprigg
H. Hall	N. Goldsborough	Pemberton
Worthington	Lloyd	Wright
Smith	Thomas	T. Wilkinson
Weems	Hindman	T. Hammond
J. Hall	Lecompte	
Smallwood	Colvill	

For the Affirmative

M ^r R. Gresham	M ^r Ennalls	M ^r Scott
J. Gresham	George	Tasker

p. 341 Col^o King from the Committee of Laws delivers M^r Speaker a Bill entituled An Act for raising three Pence p hhd on all Tobacco to be Exported for purchasing Arms and Ammunition for the defence of this Province

A Bill entituled an Act for raising three half Pence p hhd on all Tobacco exported out of this Province for the use of the Governor and

A Bill entituled an Act for raising three half Pence Sterling p hhd on all Tobacco Exported out of this Province for the use of the County schools

Which Bills were severally Read the first time and Ordered to lie on the Table

On Reading a Petition of several of the Back Inhabitants of Prince Georges County praying Leave to have the County divided at the Mouth of Monacacy, Ordered that M^r Smith M^r Weems and Captain Henry Hall be a Committee to enquire where the most proper place is to divide the said County and to Build a Court House and to make their Report to this House

On Motion of a Member for Leave to bring in a Bill to lay out L. H. J. the Town anew commonly called Snow Hill Town leave is given

A Bill entituled an Act for laying out the Town a new commonly called Snow Hill Town Read the first time and Ordered to lie on the Table

M^r Joseph Hall hath Leave of the House to go home

The House Adjourns until the Morrow Morning at nine of the Clock

Saturday Morning October 16. 1742

October 16

The House met according to Adjournment

All Members appeared at the call that were present Yesterday

On Motion of a Member that Leave be given to bring in a Bill to raise A Sum of Money for Support of an Agent for this Province in Great Britain Leave is Given and Ordered that the Committee of Laws prepare and bring in a Bill accordingly

On Motion of a Member that Jonas Green be allowed a Sum of Money in the Journal of Accounts for Services done for the Country

The Question was put Whether Jonas Green shall be allowed in full Consideration of all Services he did for the Country and disappointments met with before the Act passed in his favour in July 1740 took place? Resolved that the Allowance be £120 and that the same be allowed in the Journal of Accounts

On Motion of a Member that Leave be given to bring in a Bill to enable his Excellency Thomas Bladen Esq^r to purchase Lands whereon to build a House for a Governor and to repeal an Act Entituled an Act &c^a Leave is given and Ordered that the Committee of Laws prepare and bring in a Bill accordingly.

M^r Magruder from the Committee of Aggrievances delivers M^r Speaker the following Report viz.

By the Committee of Aggrievances and Courts of Justice October 15. 1742

Whereas Richard Fiddiman and Robert Roles both of Talbot County have complained to your Committee that Risdén Bozman Surveyor of the said County, and Benjamin Young Esq^r Examiner have in an extortionate manner charged them the said Complainants Surveyors and Examiners fees, and which upon Perusal of the Acco^{ts} of the said Gentlemen appear to be really so; the Surveyors Fees for 361 acres in two dividends amounting to 3196 Pounds of Tobacco; and to the Examiner 1960 in the whole 5156 as p^r Ac- p. 342
counts hereunto annexed Which said Service Your Committee apprehend in our Neighbouring Colony of Virginia would not have exceeded 1200 Pound of Tobacco or in the Province of Pennsylvania two Pounds ten Shillings which is so Manifest and unreasonable a

L. H. J. difference in Prejudice and Oppression of his Majestys Subjects in Maryland, that your Committee humbly Conceive the Impowering to take and the taking such Exorbitant Fees from the People is a very great Aggrievance to the People, and must tend to alienate the good Affections of his Majestys Subjects the good People of Maryland from his Lordships good Rule and Government, But submitted to the Consideration of your Honourable House

Signed p Order N. Hammond Ct Com.

M ^r Richard Fiddeman & M ^r Robert Roole	D ^r
To Resurveying 140 Acres of Land part of a Tract of Land called Wetherington	} $\frac{1}{2}$ tob ^o 400
To Resurveying 22 Acres more of ditto at 1 th of Tobacco p Acre	22
To Resurveying 72 Acres of Land called Hazard	400
To Resurveying 50 Acres of Land called Fiddemans Chance	400
To Resurveying 56 Acres of Land called Discovery	400
To Resurveying 106 Acres of Land called Fortune	400
To Resurveying 49 Acres of Land called Addition	400
To Resurveying 78 Acres of Land called Lancaster	400
To Surveying 67 Acres of Vacant Land added thereto	67
To 6 Platts at 39 $\frac{1}{2}$ th p Platt	237
To 6 Certificates at 5 p Certificate	30
To Journey Fee	40
	<hr/> 3196 <hr/>

Errors Excepted p Risdon Bozman

1741	M ^r Richard Fiddenham	D ^r
		acres
	To Examining Certificate Resurvey of Lancashire	78 60
	To ditto Addition	49 60
	To ditto Fiddenhams Chance	50 60
	To ditto Fortune	106 70
	To ditto discovery	56 60
	To ditto Hazard	72 60
	To ditto Wetherington	167 70
	To ditto Vacancy added	58 60
	To ditto Fiddenhams discovery	408 90
		<hr/> 590
	To the Re-examination of the above particulars	590
		<hr/> 1180 <hr/>

1741	M ^r Robert Rooles	B Young	L. H. J.
		D ^r	
		acres	
	To Examining Certificate Resurvey of Lancashire	78	60
	To ditto Fiddmans Chance	50	60
	To ditto Discovery	56	60
	To ditto Hazard	72	60
	To ditto Wethrington	167	70
	To ditto Rooles Range	223	80
			<hr/>
			390
	To the Re-Examination of the above particulars		390
			<hr/>
			780
			<hr/>

The House concurs with the Report and referred the further Consideration thereof until next Session Ordered that the Clerk of this House give Notice to the Parties complained against of this Report and Order of Reference p. 343

A Bill entituled an Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River in Prince Georges County near a Place called Garrison Landing and

A Bill Entituled an Act for laying out and erecting a Town in a Place called Long Point on the West Side of North East River in Cecil County were severally Read & Ordered to lie on the Table

Philip Thomas Esq^r from the Upper House delivers M^r Speaker the Petition of the Rector Vestrymen and Church Wardens of Saint Annes Parish in Anne Arundel County: the Petition of the back Inhabitants of Prince Georges County; and a Petition of James Martin

The Petition of James Martin was read and Leave given to bring in a Bill accordingly

The Petition of the back Inhabitants of Prince Georges County praying Leave to bring in a Bill to have their Parish divided, was Read and Leave given to bring in a Bill according to Prayer

The House Adjourns until Monday Morning at nine of the Clock

Monday Morning October 18. 1742

October 18

The House met according to Adjournment &c^a

All Members present as on Saturday except M^r Joseph Hall, M^r Osborn Sprigg M^r Thomas Hammond, and M^r Henry Hall.

M^r John Brome appeared in the House

L. H. J. The Bill entituled an Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River in Prince Georges County near a Place called Garrison Landing was Read the second time and will pass: Sent to the Upper House by M^r Magruder and M^r Wootton

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled A Supplementary Act to the Act entituled an Act for the Relief of Debtors and ascertaining the manner of tenders in Tobacco and to the Supplementary Act thereto, Indorsed. (See page 284)

James Harris Esq^r from the Upper House delivers M^r Speaker the Bill entituled A supplementary Act to the Act entituled an Act for repairing the damages already sustained in the Records of the Land Secretarys Commissarys and County Court Offices and for Security of the same Records for the future Indorsed (See page 284)

Which Bill was here Read and passed for Ingrossing
The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

M^r Worthington from the Committee of Accounts brings in an Account of Samuel Ogle Esq^r wherein is charged 1440 Pounds of Tobacco as a fee to the Chancellor for issuing twelve Proclamations concerning Surplusage Lands

The Question was put Whether the said Article shall be allowed or not. Resolved in the Negative

For the Negative

M ^r Waughop	M ^r Weems	M ^r Hindman
Swann	Brome	Lecompte
Griffith	Smallwood	George
Chesley	Harrison	Hyland
R. Gresham	W. Wilkinson	Caswell
Wilson	Yeates	Scott
J. Gresham	N. Goldsborough	Magruder
Carroll	Thomas	Wootton
Worthington	J. Goldsborough	Pemberton
Smith	Ennalls	[T. Wilkinson]

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For the Affirmative

M ^r Calder	M ^r Martin	M ^r Wright
King	Colvil	
Stoughton	Gordon	

The Petition of the Rector Vestrymen and Church Wardens of L. H. J. Saint Annes Parish praying Leave to bring in a Bill to empower the present Incumbent to Lease out three Lots &c^a Read and Granted

The Petition of Ashbury Sutton and others praying to have Leave to build a new Gallery in the Parish Church &c^a Read and Referred for Consideration until next Session of Assembly

The Petition of the Rector Vestrymen and Church Wardens of Saint Annes Parish praying Leave to dispose of certain Seats in the Gallery of the Parish Church Read and Referred for Consideration until next Session of Assembly

The Bill entituled an Act to enable the Justices of Baltimore County to assess and Levy on the Taxable Inhabitants of Saint Pauls Parish in the said County a quantity of Money or Tobacco for the uses and Purposes therein mentioned and also to divide the said Parish and to erect part thereof into a new one, Read the first time & Ordered to lie on the Table.

M^r Smith from the Committee appointed to inspect the Public Goal &c^a delivers M^r Speaker the following Report viz.

By the Committee appointed to inspect the Public Goal in the City of Annapolis and the Usage of the Prisoners therein

October 18. 1742

Your Committee having view'd and examined the said Goal, find that the same is wholesom and warm and kept in good Order

That in the first Room on the Left Hand of entring the said Goal the Joists in the said Room as also in the Room over it have been cut and made use of by the Prisoners as they declare for Firewood

That in the Brick Wall of the Goal Yard there is a large Crack occasioned by the Foundation being bad, which if not timely repaired may endanger the falling of the said Wall

That in the said Yard there is a good Pump with Water for the use of the Prisoners and in the Goal aforesaid there is likewise a Hand Mill for their use

And your Committee further find that in the said Goal their are Eleven Prisoners Debtors and Criminals to wit John Lumley, George Jenkins, Thomas Mansfield, Susannah Murray Catherine Brett, Anthony Hill, William Rose Honor Hugell Patrick Conolly Negro Doctor and Negro Duke, and that the Allowance made them by the present Sheriff of Anne Arundel County M^r Samuel Smith is as follows.

One Pint of Corn p diem, and two Pounds of Meat in a Week to each Prisoner and in Failure of the said Pint of Corn they are allowed a Pint of Pease

L. H. J. That the Prisoners have only an old Broken Iron Pot and a small Kettle to dress their Meat in which said Pot and Kettle are sometimes denied them by Negro Preston who claims the Property of them and they complain that there is not a sufficiency of Wood allowed them wherewith to dress or Cook their Victuals

Your Committee humbly certify that the said Prisoners do not complain against the said M^r Smith (the Sheriff) on Account of
 p. 345 any ill usage by Blows or Stripes but make Complaint chiefly on the Scanty and Spare Allowance of Meat which they declare is not a sufficient Subsistance and were it not for the Charity of many well disposed People they could not live on the Allowance of Meat made them as abovesaid

Your Committee likewise further Certify to this Honourable House that the Prisoners now in the said Goal did not, nor have not made any Application to the said M^r Smith the Sheriff in order to redress their Aggrievance in not being allowed a Competency of Meat, nor have they (by their own Confession) in any sort Complaind thereof to him

And your said Committee further signify that since the first Enquiry of the 27th of September last, there hath Died one James White a Prisoner in the said Goal

All which is most humbly referred to the Consideration of this Hon^{ble} House Signed p Order William Marshe Cl Com.

The House Adjourns until the Morrow Morning at nine of the Clock

October 19

Tuesday Morning October 19th 1742

The House met according to Adjournment &c^a

M^r Smith from the Committee appointed to divide Somerset County delivers M^r Speaker the following Report

By the Committee appointed for the dividing Somerset County
 October 19. 1742

Your Committee by due Inspection do find, that it will be convenient to the Inhabitants of Somerset County, to have the division of the said County to begin at Watkinns Point and from thence running up Pocomoke Bay to the Mouth of Pocomoke River and with the said River to the Mouth of dividing Creek; thence up to the Westernmost Side of the said Creek and main Branch to the Bridges called Denstones Bridges from thence West to the main Road called Parahawkin Road; thence up and with the said Road to John Caldwells Sen^{ts} Saw Mill thence up and with the said Road over Cox's Branch to Broad Creek Bridge and down the said Branch and Creek into Nanticoke River; thence down the said River with Dorchester County to the Mouth thereof, and from thence including all the Islands formerly deem'd to be in Somerset County to the

Beginning called Watkins's Point; and all the Residue of the Land L. H. J. now within the Bounds of Somerset County to be the County now to be erected

Your Committee are likewise of Opinion that Princess Anne Town is the most convenient place for the Inhabitants of Somerset County to have a Court House Built and that Snow Hill Town on Pocomoke River is likewise the most Convenient Place for Building a Court House in the County to be erected

All which your Committee humbly submit to the Consideration of the House Signed p Order Tho^s Jennings Cl Com.

On Reading thereof the House Concurs therewith, Leave given to bring in a Bill

Ordered that the Committee of Laws prepare and bring in a Bill accordingly

An Ingrossed Bill entituled an Act for the Trial of all Matters of Fact in the several Counties where they have arisen or shall arise was Read and Assented to and sent to the Upper House with the Paper Bill, by M^r Calder and M^r Waughop

This day being appointed for a Hearing on M^r Charles Carrolls Petition M^r John Warren a Person Interested in the Claim of Bushwood Mannor Saint Clements Mannor &c^a appearing at the Bar of this House by his Council moved that the same be referred for Consideration the next Session of Assembly the same is referred

A Bill entituled an Act to continue such Causes now depending in the Provincial Court as by Law ought to have been determined in p. 346 October Provincial Court 1742

A Bill Entituled an Act for raising ——— for every hhd of Tobacco Exported out of this Province for Payment of an Agent in Great Britain for the Service of this Province

Were severally Read the first time and Ordered to lie on the Table

A Bill entituled an Act for the Relief of Honor Hugall Susannah Murray Catherine Brett &c^a languishing Prisoners Read the first time and Ordered to lie on the Table.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

The Bill entituled an Act to enable the Justices of Baltimore County to assess and levy on the Taxable Inhabitants &c^a Read the second time and will Pass,

Sent to the Upper House by Captain Sheredine and Captain Caswell

It being moved by a Member of the Committee of Accounts to have the direction of the House, in the Allowance of several Officers Fees now Claimed

L. H. J. The Question was put which of these two Questions shall be put viz. Whether any Alteration as to the Sums charged in the Accounts of the Officers Fees, produced to the Committee of Accounts shall be made

Or this Question Whether the Accounts for Officers Fees shall be allowed as Charged under the Lord Baltemores Proclamation, or not

Resolved that the first be the Question

For the first Question being put

M ^r Waughop	M ^r Martin	M ^r Colvill
Griffith	N. Goldsborough	Hyland
Chesley	Lloyd	[Sprigg]
Calder	Thomas	Gordon
J Gresham	J Goldsborough	Tasker
Weems	Ennalls	Pemberton
Smallwood	Hindman	Wright
King	Lecompte	
Gale	George	

For the second Question being put

M ^r Swann	M ^r Brome	M ^r Scott
R. Gresham	Harrison	Magruder
Wilson	W. Wilkinson	Wootton
Carroll	Yeates	T. Wilkinson
Worthington	Sheredine	
Smith	Caswell	

The Question was put Whether this Question shall be put viz. Whether any Alterations as to the sums charged in the Accounts of the Officers Fees produced to the Committee of Accounts shall be made? or not, Resolved in the Negative

For the Negative

M ^r Waughop	M ^r Martin	M ^r George
Griffith	N. Goldsborough	Colvil
Chesley	Lloyd	Hyland
Calder	Thomas	Gordon
Weems	J. Goldsborough	Tasker
Smallwood	Ennalls	Pemberton
King	Hindman	Wright
Gale	Lecompte	

For the Affirmative

L. H. J.

M ^r Swann	M ^r Smith	M ^r Caswell
R. Gresham	Brome	Scott
Wilson	Harrison	Magruder
J. Gresham	W. Wilkinson	Wootton
Carroll	Yeates	Sprigg
Worthington	Sheredine	T. Wilkinson

The House Adjourns until the Morrow Morning at nine of the Clock.

Wednesday Morning October 20. 1742

October 20
P. 347

The House met according to Adjournment

The Bill entituled an Act for raising a duty of three half Pence Sterling p hhd on all Tobacco exported out of this Province for the use of the Governor sent to the Upper House by Col^o Colvill and M^r Smallwood

The Bill entituled an Act for raising three half Pence Sterling for every hhd of Tobacco Exported out of this Province for Payment of an Agent in Great Britain for the Service of this Province was Read the second time and will pass Sent to the Upper House by Captain Gordon and M^r George

A Bill for dividing Prince Georges Parish in Prince Georges County and for erecting A new one out of the same: Read the first time and Ordered to lie on the Table

An Ingrossed Bill entituled an Act enabling the Justices of Cecil County to levy on the Taxable Inhabitants of Saint Mary Annes Parish in the County aforesaid the Sum of Eight Hundred Pounds was Read and Assented to and sent to the Upper House with the Paper Bill by Captain Hyland and Captain Harrison

An Ingrossed Bill entituled A Supplementary Act to the Act entituled an Act for repairing the Damages already Sustained in the Records of the Land Secretarys Commissarys and County Court Offices and for Security of the same Records for the future; was Read and Assented to and sent to the Upper House with the Paper Bill by M^r Sprigg and Captain Hindman

The Bill entituled an Act for laying out the Town anew commonly called Snow Hill Town in Somerset County sent to the Upper House by Captain Martin & M^r Griffith

The House taking into Consideration the Report of the Committee for inspecting into the Usage of the Prisoners in Anne Arundel County Goal Ordered that M^r Samuel Smith be called in to make Answer to the Allegations in the Report: M^r Smith appeared and made his Defence, and was Ordered to withdraw; The House Resolved, that M^r Speaker acquaint him with the sense of the House M^r Smith was called in and M^r Speaker acquaints him

L. H. J. This House is of opinion that your allowing your Prisoners only two Pounds of Meat a Week is a great Breach of your duty, being by far too small for them to live on as well as unjust, since the Imprisonment Fees will afford a much better Provision. It is likewise the Sense of this House, that a Pint of Corn is also too scanty an Allowance *p diem* and that it is not enough that you have provided more; but it is likewise your indispensable duty, to see that it be duly delivered and not imbezzled by those whom you entrust to deal it out, and that you provide the Prisoners with Fire Wood and Vessels to dress their Victuals with: But they have thought fit to proceed no further in this Affair against you at this time than to declare, that if ever any Complaint of the Kind should come before them hereafter, and be made appear they will take all Means to have the Authors punished in the severest manner.

Ordered that the Committee of Laws prepare an Address to his Lordship on his Speech communicated this Session to both Houses of Assembly

On Motion of a Member that an Address be prepared to his Excellency to Order the proper Officer or Officers to lay before this House the Annual Income arising from his Lordships Quit Rents

Ordered that an Address be prepared and that Doctor Carroll and M^r George prepare and bring in the same

p. 348 Col^o Gale from the Upper House delivers M^r Speaker the Bill entituled an Act for enlarging the Jurisdiction of the County Courts Indorsed (See page 287)

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

On Reading a second time the Bill entituled an Act for raising a duty of three half Pence Sterling per Hhd on all Tobacco Exported out of this Province for the use of the County Schools

The Question was put Whether the said Bill shall pass or not? Resolved in the Negative

For the Negative

M^r Waughop

Swann

Griffith

Chesley

R. Gresham

Carroll

Gresham .

Worthington

Smith

M^r Weems

Brome

Smallwood

Harrison

W. Wilkinson

N. Goldsborough

Thomas

J. Goldsborough

Ennalls

M^r Hindman

Lecompte

Hyland

Sheredine

Magruder

Wootton

Pemberton

Wright

T. Wilkinson

For the Affirmative

L. H. J.

M^r Yeates
Gale
Martin

M^r Colvill
George
[Caswell]

M^r Sprigg
Gordon
Tasker

A Bill Entituled an Act to impower and direct the Clerk of Somerset County to enter and Record among the said County Records a deed of Bargain and Sale from John Martin to James Martin of a Lot of Land therein mentioned was Read the first and second time by especial Order and will pass Sent to the Upper House by Col^o King and Captain Martin

The Bill entituled an Act to continue such Causes now depending in the Provincial Court as by Law ought to have been determined in October Provincial Court 1742 was Read the second time and will pass sent to the Upper House by M^r Calder & M^r Smallwood

A Bill entituled an Act providing what shall be good Security to prove Foreign and other Debts and to prevent vexatious and unnecessary Suits at Law Pleading Discounts in Bar and for repealing the Acts of Assembly therein mentioned and

A Bill entituled An Act to divide Somerset County and to erect a new County on the Sea board Side thereof by the Name of

Were severally Read the first time and Ordered to lie on the Table.

The Bill entituled an Act for Relief of Honor Hugell &c^a

Read the second time and will Pass sent to the Upper House by M^r Smith and M^r Thomas

James Holliday Esq^r from the Upper House delivers M^r Speaker the following Message (See page 287)

George Plater Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act for laying out the Town anew commonly called Snow Hill Town in Somerset County Indorsed (See page 287) p. 349

Which Bill was here Read and Passed for Ingrossing

Philip Thomas Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act to continue such Causes now depending in the Provincial Court as by Law ought to have been determined October Provincial Court 1742. Indorsed (See page 288)

Which Bill was here Read and passed for Ingrossing

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act to direct the Clerk of Somerset County to enter and Record among the said County Records a Deed of Bargain and Sale from John Martin to James Martin of a Lot of Land therein mentioned Indorsed (See page 287)

Which Bill was here Read and passed for Ingrossing

The Address to his Excellency was brought in Read Approved and Ordered to be Ingrossed

The House Adjourns until the Morrow Morning at 9 of the Clock

L. H. J.
October 21

Thursday Morning October 21. 1742

The House met according to Adjournment &c^a

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled An Act for the Relief of Honor Hugall &c^a Indorsed (See page 288)

Which Bill was here Read and Passed for Ingrossing

Philip Thomas Esq^r from the Upper House delivers M^r Speaker A Bill to enable Caleb Dorsey of Anne Arundel County Gent to sell and dispose of forty nine Acres of Land, part of the Estate of Mary Woodward and Elizabeth Woodward Infants Indorsed (See page 289)

Which Bill was here Read the first time and Ordered to lie on the Table

On Motion of a Member that a Bill be brought in to enable his Excellency Thomas Bladen Esq^r or the Governor for the time being to purchase four Acres of Land within the Fence of the City of Annapolis for the Use of the Public

Leave is given and Ordered that the Committee of Laws prepare and bring in a Bill accordingly

A Bill entituled an Act to enable his Excellency Thomas Bladen Esq^r or the Governor for the time being to purchase four Acres of Land within the fence of the City of Annapolis for the Use of the Public and to build thereon a dwelling House with other Conveniences for the Residence of the Governor of Maryland for the time being and to repeal part of other Acts therein mentioned was Read the first time and Ordered to lie on the Table

An Ingrossed Bill entituled an Act for laying out the Town anew commonly called Snow Hill Town in Somerset County was Read and Assented to and sent to the Upper House with the Paper Bill by William Stoughton Esq^r and Captain Martin

James Holliday Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act to enable the Justices of Baltimore County &c^a Indorsed (See page 289)

Which Bill was Read and with the Amendment passed for Ingrossing
p. 350

The Bill entituled an Act for dividing Prince Georges Parish in Prince Georges County and for erecting a new one out of the same was Read the second time and will pass sent to the Upper House by M^r Wootton and M^r Chesley

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

An Ingrossed Bill entituled an Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River

in Prince Georges County near a Place called Garrison Landing was L. H. J. Read and Assented to

The Bill entituled an Act for dividing Prince Georges Parish in Prince Georges County

The following Address viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland

The humble Address of the House of Delegates of the said Province

May it please your Excellency

We his Majestys most Loyal and Dutiful Subjects the Delegates of the Freeman of the Province of Maryland in Assembly convened being desirous of doing every thing in our Power to promote that kind and good understanding, which ought to subsist between the Right Honourable the Lord Proprietary and our Constituents, his Tenants in Maryland, have, upon Mature Consideration, concluded, that putting his Lordship and the People on the like Terms as his Lordships Noble Ancestors have been with theirs; as also his present Lordship after his Restoration to this Government, and until the Determination of the Acts in the Years 1732 and 1733

Wherefore and in order to perfect so desirable an End, We humbly request, that Your Excellency will give Orders that his Lordships Agent or the proper Officers may lay before this House an Account of the neat Yearly Amount of his Lordships Land Rents in the several Counties respectively the Collection of which we are well assured is very expensive to his Lordship, in the manner the same are now paid

Being Ingrossed was Read and Assented to and signed on Behalf of the House by the Honourable Speaker

Col^o King and M^r Tasker were sent to acquaint his Excellency that this House hath prepared an Address to him, and desires to know when and where he will please to receive it they return, and acquaint M^r Speaker the Governor will be ready to receive it in the Conference Chamber

William Stoughton Esq^r and five more were sent to present the Address

The Several Accounts sent from the Upper House and others relating to the Indian Affair to be allowed in the Journal of Accounts being under Consideration

The Question was put Whether the House shall take them now into their Consideration or refer them to the next Session of Assembly

[Resolved, That they be referred to the next Session of Assembly]

A Bill entituled an Act for encouraging the raising of Copper Ore Erecting of a Stamping Mill and Copper Works and making of

The Ms. omits "and for erecting a new one of it. The same was Read the Second Time and will pass. Sent to the Upper House by Mr. Wootton and Mr. Chesley."

L. H. J. Copper Works within this Province was Read the first time and Ordered to lie on the Table

p. 351 The Bill entituled an Act providing what shall be good Evidence to prove Foreign and other Debts &c^a was Read and committed for Amendments

The House Adjourns until the Morrow Morning at nine of the Clock

October 22

Friday Morning October 22^d 1742

The House met according to Adjournment &c^a

The following Message was sent to the Upper House by M^r Nicholas Goldsborough and Captain Harrison (See page 290)

The Ingrossed Bill entituled an Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River in Prince Georges County near a Place called Garrison Landing; and

A Bill The Ingrossed Bill entituled an Act to continue such Causes now depending in the Provincial Court &c^a

Sent to the Upper House with the Paper Bills by M^r Calder and M^r Sprigg

M^r Calder delivers M^r Speaker the following Report viz.

To the Honourable the House of Delegates of Maryland

Whereas at a Session of Assembly begun and held at Annapolis on the 26th day of May 1741 We the Subscribers with other Members were appointed to get Copies of Papers Records &c^a and the same to Transmit to the Agent in London, for the Service of this Province in Compliance wherewith We transmitted to Ferdinando John Paris Esq^r the following Papers and as he required a Copy of an Act relating to the Revenue of Maryland passed at A Session of Assembly the 30th day of April 1679 and referred to in an Order of Council dated at Whitehall the 26th day of February 1690 which Act not being to be found on the Records here we procured from M^r Ghiselin a Deposition to that Effect which were transmitted by Captain Grindall in August last being as soon as it conveniently could be done, all which is humbly submitted to the House

Commission to John Hart Esq^r Governor

Ditto to Charles Calvert Esq^r Governor

Ditto to Benedict Calvert Esq^r Governor

An Act reviving and continuing the Act for continuing the Gauge and Tare of Tobacco Hogsheads.

Deposition made before Robert Gordon Esq^r by William Ghiselin Clerk in relation to an Act supposed to be past in 1679 relating to the Revenue of the Province

Samuel Ogle Esq^r as Chancellor and Governor his Certificate of L. H. J.
the Proof of the foregoing Copies under the Great Seal

James Calder	John Magruder
Charles Carroll	Turnor Wootton

Col^o Hammond from the Upper House delivers M^r Speaker the ^{p. 352}
Bill entituled an Act for issuing Writs of Replevin out of the County
Courts of this Province Indorsed (See page 290)

Which Amendment this House doth not agree to

An Ingrossed Bill entituled an Act to empower the Clerk of Som-
erset County &c^a was Read and Assented to and sent to the Upper
House with the Paper Bill by M^r Stoughton and M^r William
Wilkinson

George Plater Esq^r from the Upper House delivers M^r Speaker
the Bill entituled an Act for raising a duty of three half Pence Ster-
ling per Hogshead on all Tobacco Exported out of this Province for
the use of the Governor Indorsed (See page 291)

Which Bill was here Read and passed for Ingrossing

The Bill entituled an Act to divide Somerset County and to erect
a new County on the Sea-board Side by the name of Worcester
Read the second time and will pass sent to the Upper House by
Col^o King and Captain Martin

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

M^r William Wilkinson hath Leave of the House to go home

The Bill entituled an Act providing what shall be good Evidence
to prove Foreign and other Debts &c^a Read the second time and
will not pass

The Bill entituled an Act to enable Caleb Dorsey of Anne Arundel
County Gent to sell and dispose of 49 Acres of Land part of the
Estate of Mary Woodward and Elizabeth Woodward Infants was
Read the second time and will pass Sent to the Upper House by
M^r Tasker and Captain Hyland

The Bill entituled an Act encouraging the raising of Copper Ore
&c^a Read the second time and will pass sent to the Upper House by
Captain Sheredine and M^r Thomas Wilkinson

An Ingrossed Bill entituled an Act to enable the Justices of Balti-
more County &c^a was Read and Assented to and sent to the Upper
House with the Paper Bill by Captain Sheredine and Captain Caswell

The Bill entituled an Act to divide Prince Georges County and
to erect a new one by the Name of Frederick County was Read the
first and second time by an especial Order and will pass Sent to the
Upper House by Mess^{rs} Magruder and Sprigg

L. H. J. It being moved by a Member that Jonas Green be allowed in the
 p. 353 Journal of Accounts for printing the Votes of this Session

The Question was put Whether Jonas Green shall be allowed in the Journal of Accounts for Printing the Votes and Resolves of this House or not? Resolved in the Affirmative

For the Affirmative

M ^r Waughop	M ^r Smith	M ^r Thomas
Swann	Brome	George
Griffith	Smallwood	Colvill
R. Gresham	W. Wilkinson	Caswell
Wilson	Yeates	Sheredine
Calder	Stoughton	Tasker
Carroll	Martin	T. Wilkinson

For the Negative

Chesley	J. Goldsborough	M ^r Scott
Worthington	Ennalls	Wootton
Weems	Hindman	Sprigg
Harrison	Lecompte	Pemberton
King	Hyland	Wright
N. Goldsborough	Magruder	

The House Adjourns until the Morrow Morning at nine of the Clock

October 23

Saturday Morning October 23^d 1742

The House met according to Adjournment &c^a

All Members present as Yesterday except M^r William Wilkinson

Col^o Gale from the Upper House delivers M^r Speaker the Bill entituled an Act to divide Somerset County &c. Indorsed (See page 292)

Which Bill was here Read and passed for Ingrossing

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act for dividing Prince Georges Parish in Prince Georges County &c^a Indorsed (See page 292)

Which Bill was here Read and passed for Ingrossing

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled an Act for encouraging the raising of Copper Ore &c^a Indorsed (See page 292)

Which Bill was here Read and passed for Ingrossing

An Ingrossed Bill entituled an Act for relief of Honor Hugell &c^a was Read & Assented to & sent to the Upper House with the Paper Bill by M^r Smallwood and M^r John Gresham

On Motion of a Member that an Address be prepared to his Lord- L. H. J.
ship relating to the Quit Rents Ordered that the Committee of Laws
prepare and bring in such Address

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

M^r Worthington from the Committee of Accounts delivers
M^r Speaker the Journal of Accounts

On Reading the Journal of Accounts the Question was put
Whether this Question shall be put viz.

Whether the Secretarys Accounts shall be allowed as stated in the
Journal of Accounts as to his Fees; or not? Resolved in the Nega-
tive

For the Negative

M ^r Waughop	M ^r Stoughton	M ^r Colvill
Swann	Gale	Hyland
Griffith	Martin	Caswell
Chesley	N. Goldsborough	Scott
Calder	Thomas	Gordon
Smith	J. Goldsborough	Tasker
Weems	Ennalls	Pemberton
Brome	George	Wright
King	Hindman	

For the Affirmative

P. 354

M ^r R. Gresham	M ^r Smallwood	M ^r Magruder
Wilson	Harrison	Wootton
Carroll	Yeates	Sprigg
J. Gresham	Lecompte	T. Wilkinson
Worthington	Sheredine	

The Journal of Accounts was Read and committed for Amend-
ments in the Money Allowance

The House Adjourns until Monday Morning at nine of the Clock

Monday Morning October 25. 1742

October 25

The House met according to Adjournment &c^a

An Ingrossed Bill entituled an Act to divide Somerset County
and to erect a new County on the Sea board Side thereof by the
Name of Worcester

An Ingrossed Bill entituled an Act encouraging the raising of
Copper Ore erecting of Stamping Mills and Copper Works and
making of Copper within this Province and

L. H. J. An Ingrossed Bill entituled an Act for dividing Prince Georges Parish in Prince Georges County and for erecting a new one out of the same

Were severally Read and Assented to and sent to the Upper House with the Paper Bills by M^r Lloyd and Major Yeates

The Bill entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County was read the second time and will pass Sent to the Upper House by Col^o Colvil and Captain Hyland

A Bill entituled an Act to enable the Rector Vestrymen & Church Wardens of for the time being of Saint Anns Parish in Anne Arundel County to Lease certain Lots in the City of Annapolis in manner and to the uses therein mentioned Read the first & second time by especial Order and will pass Sent to the Upper House by Doctor Carroll and M^r Worthington

The House Adjourns until two of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

All Members appeared at the call as in the forenoon

M^r Worthington from the Committee of Accounts delivers M^r Speaker the Journal of Accounts, which being Read with the Amendments ordered to be made, the Question was put, Whether the said Journal be Assented to or not? Resolved in the Affirmative

For the Affirmative

M ^r Waughop	M ^r Stoughton	M ^r George
Swann	Gale	Colvill
Griffith	Martin	Hyland
Chesley	N. Goldsborough	Caswell
Calder	Thomas	Sprigg
Smith	J. Goldsborough	Scott
Brome	Ennalls	Gordon
Weems	Hindman	Pemberton
King	Lecompte	Wright

For the Negative

M ^r R. Gresham	M ^r Worthington	M ^r Sheredine
Wilson	Smallwood	Magruder
J. Gresham	Harrison	Wootton
Carroll	Yeates	T. Wilkinson

Edmund Jenings Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act to divide Prince Georges County &c^a Indorsed (See page 294)

On Reading the Amendments proposed by the Upper House to the aforesaid Bill the Question was put that the House Concur therewith L. H. J.
p. 355

Resolved in the Negative

The Journal of Accounts was sent to the Upper House by M^r Worthington and three more

The following Address to his Lordship being brought in viz. To the Right Honourable Charles Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c^a

The humble Address of the Delegates of the Freemen of the said Province in General Assembly convened

May it please your Lordship

We his Majestys most Dutiful and Loyal Subjects the Delegates of the Freemen of the Province of Maryland being sincerely disposed and most earnestly desiring that Harmony Good Understanding and mutual Confidence between your Lordship and your Tenants which is so necessary for the General Interest, and which has formerly Subsisted between your Noble Ancestors, Yourself and them, To quiet the minds of the People we represent from the great uneasiness they are under by Reason of your Lordships levying a Tax of twelve Pence a hhd on their Tobacco under Colour of an Act of Assembly made in the Year 1704 and of sundry other Aggrievances complained of in our General Address which has or will be presented to your Lordship and to induce your Lordship to disclaim all Right of levying Money by Virtue of that Act which we are satisfied and well advised is not in force at this time, without putting us under the disagreeable necessity of applying to his most Sacred Majesty on that and other Heads do humbly propose to lay a Tax for raising a Sum not less than

Sterling Money p Annum

to be paid to your Lordship in Lieu of your Quit Rents arising due within this your Province and likewise a Duty for the better Support of your Government and Governor residing here which Duty we propose to settle by a Law for such term as shall be reasonably agreed upon, and as we hope these Proposals will appear reasonable in themselves as well as advantageous to your Lordship so we flatter ourselves they will convince you that we never aimed at depriving your Lordship of any of your Just Rights and that by such an Agreement those Aggrievances we have complained of may be removed and those unhappy differences which now Subsist between us may in an amicable manner be composed We therefore request if your Lordship shall think fit to accept of our Offer you will be pleased to give Instructions to your Governor to treat with us on those heads the issue of which we doubt not will prove agreeable both to your Lordship and your Tenants

L. H. J. The Question was put Whether the House approve the said Address or not, Resolved in the Negative

For the Negative

	M ^r Waughop	M ^r Weems	M ^r Lloyd
	Swann	Brome	J. Goldsborough
The ms. prints the name Magruder twice.	Chesley	Harrison	Magruder
	Wilkinson	Smallwood	Sprigg
	Carroll	Yeates	T. Wilkinson
	Worthington	N. Goldsborough	Wright
	Smith		

For the Affirmative

p. 356	M ^r Griffith	M ^r Martin	M ^r Hyland
	R. Gresham	Thomas	Caswell
	Calder	Ennalls	Scott
	J. Gresham	Hindman	Gordon
	King	Lecompte	Pemberton
	Stoughton	George	
	Gale	Colvil	

On Motion of a Member for Leave to bring in an Address to his Lordship to offer him an equivalent for his Quit Rents Leave given Ordered that the Committee of Laws prepare and bring in such Address

An Address to his Lordship in answer to his Speech was brought in Read approved and Ordered to be Ingrossed

The House Adjourns until the Morrow Morning at nine of the Clock

October 26

Tuesday Morning October 26. 1742

The House met according to Adjournment &c^a

The Bill entituled an Act for the better Establishing and Regulation of Ferries within this Province Referred to the second Tuesday in November next for a second Reading.

George Plater Esq^r from the Upper House delivers M^r Speaker the following Message (See page 295)

and the following Letter from the Governor (See page 295)

p. 357 It being moved that the Bill entituled An Act for raising an Annual Revenue for the Support of the Station and Dignity of his Lordships Governor actually residing within this Province &c^a be read now the second time Resolved in the Negative

For the Negative

L. H. J.

Mr Waughop	Mr Martin	Mr Colvill
Swann	Thomas	Hyland
Griffith	Lloyd	Caswell
Chesley	J. Goldsborough	Scott
Calder	Ennalls	Gordon
Stoughton	Hindman	Tasker
King	Lecompte	Pemberton
Gale	George	Wright

For the Affirmative

Mr R. Gresham	Mr Weems	Mr N. Goldsborough
Wilson	Brome	Magruder
J. Gresham	Smallwood	Sprigg
Carroll	Harrison	Wootton
Smith	Yeates	T. Wilkinson
Worthington	Sheredine	

Samuel Chamberlain Esq^r from the Upper House delivers Mr Speaker a Bill entituled an Act to enable the Rector Vestrymen and Church Wardens of Saint Annes Parish &c^a Indorsed (See page 295)

Col^o Gale from the Upper House delivers Mr Speaker a Bill entituled an Act for laying out and erecting a Town at a Place called Long Point on the West Side of North East River in Cecil County, Indorsed (See page 296)

The Bill entituled an Act for raising three Pence per hhd &c^a was Read and committed for Amendments

The Ingrossed Bill entituled an Act for raising three half Pence Sterling p hhd on all Tobacco Exported out of this Province for the use of the Governor was read and Assented to and sent to the Upper House with the Paper Bill by William Stoughton Esq^r and Captain Sheredine

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c^a

The following Ingrossed Address viz.

To the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a

The humble Address of the Delegates of the Freemen of the Province of Maryland in General Assembly convened.

L. H. J. May it please your Lordship

We his Majestys most dutiful and Loyal Subjects the Delegates of the Freemen of your Province of Maryland in Assembly convened return your Lordship our very hearty Thanks for your Speech to the Upper and Lower Houses of this Assembly communicated to us by our Governor Thomas Bladen Esq^r and for the Professions you have therein been pleased to make of having our Welfare so much at Heart

p. 358 Could We be so happy as to have your Lordship residing amongst us, whereby you might be better acquainted with our Affairs and Circumstances, then you can well be at so great a distance from Us, We perswade ourselves that good Understanding which is so necessary for the General Interest of the Common Weal would at all times be kept up and Cultivated betwixt your Lordship and your Tenants, or did your Lordship think fit to consult with, and put Confidence in the Candid Informations and Benevolent dispositions of the honest and disinterested People here, instead of the more partial Advices of such as we have Reason to think are so real Friends either to yourself or us, it is more than probable we should not have had occasion to complain of the many Aggrievances, we labour under and which are contained in our former Address, which already is or in a short time will be presented to your Lordship; nor can We suppose that your Lordship would otherwise, than from the Influence of such Malevolent Councils have declared your Dissent to our late Act for the Assessment and Payment of the Public Charges, whereby many People have greatly Suffered, and had it not, by the kind and ready Concurrence of our present Governor been timely prevented, the whole Province must necessarily have been involved in the greatest Difficulties and Inconveniences

As We are willing to flatter Ourselves that your Lordship upon cool and deliberate Consideration will be satisfied of the Justness of our Complaints, and thereby be induced to relieve us, we are unwilling at this time to enumerate any new Aggrievances, altho' the withholding from us for a time, the proper Vouchers to support those Complaints, by denying Access to the Public Registrys of the Province, and the preventing us to Tax ourselves for the better maintaining our Rights and Priviledges might well Justify us in so doing We cannot however as well in Justice to your Lordship as to ourselves omit upon this Occasion putting you in mind that your Lordship hath here a large Country as yet uncultivated and uninhabited the Peopling whereof must turn to the Interest of your Tenants and greatly to the Interest of your Lordship as well as to the Trade and Manufacture of Great Britain, and that it cannot be reasonably expected, that those who can remove themselves will continue or that others will settle in a Place where these Properties are not secured by fix'd and permanent Laws, which must always be the Case where

those Laws are Subject to be disannulled by a Power less than that L. H. J. by which they were made; and We would intreat your Lordship to consider, that the repealing of Acts once made is exercising a Legislative Power, and that, that Power is by the Royal Charter given to your Lordship in Conjunction with the Freemen of your Province or their Delegates

There are Grounds to suspect that We have been represented to your Lordship as a factious clamorous People disaffected to his Majesty and ill disposed towards your Lordship, since there are those amongst us who have not been wanting to lay those things to our Charge; but when your Lordship considers that such Representations come from the Authors of many of those Evils, whereof we complain, we hope they will have but little Weight with you, We have it is hoped very lately given sufficient Testimony according to our Abilities of our sincere Attachment to his Majestys Person and Government and we can with the greatest Truth assure your Lordship that we never had it in our Thoughts to abridge you in any of your Rights and Prerogatives, and are at all times willing to give such a Support to your Government, as is suitable to our Circumstances, But We know ourselves to be a Branch of that free People of whom your Lordship is a Representative entituled to all their Rights and Priviledges and therefore We can never submit to the Payment of any Tax or Impost but what is laid upon Us by Law

It is with the greatest Pleasure we receive M^r Bladen as our Governor and as We have full hopes that by his mild and just Administration, the true Interest of the Province will be pursued so we Promise on our Parts to do every thing in our Power to make his Government easy and to promote and support your Lordships just Rights was Read and Assented to and signed on behalf of the House p. 359 by the hoñble Speaker

M^r Smallwood hath Leave of the House to go home

The following Message (See page 299)

Was sent with the Bill mentioned in the Message by Mess^{rs} Magruder and Sprigg

The Bill entituled an Act to enable his Excellency Thomas Bladen Esq^r or the Governor for the time being to purchase four Acres of Land &c^a Read the second time and will pass sent to the Upper House by M^r Lloyd and M^r John Goldsborough

M^r Smith from the Committee to inspect the Arms and Ammunition &c^a delivers M^r Speaker the following Report viz.

By the Committee for inspecting the Arms Ammunition and Accounts relating thereto October 25. 1742

Your Committee having view'd and inspected the quality and quantity of the arms and Ammunition of this Province now in the City of Annapolis, do find the same as follows viz.

L. H. J.

In the Council Chamber

477 Fire Arms 71 Pistols, 68 Swords with Basket Hilts, 4 ditto Brass Hilts, 11 Drums 27 Trumpets, 68 Halberts, 44 Cartouch Boxes and slings, 48 Bucketts with ditto

In the Room over the Conference Chamber

6 Carbines 7 Muskets with Bayonets, 4 old Trumpets 12 Pistols, 4 Swords with Brass Hilts, 16 old Cutlasses, 57 new Buff Belts, 9 Cartouch Boxes, 5 Frogs 33 Drums, 73 Carbine Slings 17 Drum ditto, half a Barrell Gunpowder 3 Cases Matches, 8 Caggs Ball and Great Shot 2 half Barrells Gunpowder and about 1000 w^t Bar Lead

Under the Stairs in the Council House

One Barrell Gunpowder 5 ditto sorted Bullets

In the Repository

Two Chests said by the Armourer to contain 50 new Musketts with Bayonets, one ditto said by ditto to contain 25 pair new Pistols and Holsters, 172 old Muskets

In the Powder House

Thirty eight half Barrells Gun Powder and eighteen Cags Shot

We find the Arms and Accoutrements in the Council Chamber clean and in good Order and the several other Arms and Accoutrements mentioned in this Report generally in good Order except the 170 old Muskets in the Repository, most of which are out of Repair

We further find that since last Session the Armourer by the Governors Order has delivered to sundry Persons the following Arms and Ammunition as per Receipts appears viz.

To Captain Bigg, 2 half Barrells Gun Powder

To Col^o Levin Gale, 100 Musketts with Bayonets and Slings 50 Pair Pistols and Holsters, 50 Broad Swords and Belts, 2 half Barrells Gun Powder, 300 Weight Musket & Pistol Ball

p. 360 To Col^o Henry Hooper 100 Muskets with Bayonets and slings, 100 Pair Pistols with Holsters, 60 Cartouch Boxes 60 Swords and Belts, 4 Drums and Slings, 2 Trumpets 1 Bucket and Sling, 2 Half Barrells Gunpowder, 300 Weight Ball, 1000 Flints, 4 Drums and Slings 4 Trumpets 40 Swords and Belts, 2 half Barrells Gunpowder 300 Weight Ball

To M^r John Leeds 50 Musketts with Bayonets and Slings, 50 Pair Pistols and Holsters, 20 Muskets without Bayonets or Slings, 51 Swords and Belts, 2 Drums and Slings, 1 Trumpet, a half Barrell Gunpowder, and 100 Weight Ball

To Col^o James Harris, 25 Muskets with Bayonets, 25 Pounds Gun Powder 12½th Musket Ball and 100 Flints

To Col^o Charles Hammond 50 Pair Pistols and Holsters 70 Broad Swords and Belts

L. H. J.

To Captain Ezekiel Gillis one Trumpet
 To Captain William Sanders one ditto
 To Col^o Henry Ridgley 6th of Powder
 To Captain John Merriken one new Drum
 To Captain John Dorsey Elk Ridge one new Ditto
 To Captain Zachariah Maccubbin junior one Trumpet
 To Captain Joshua Dorsey one ditto
 To Captain Richard Lee Prince Georges County one ditto
 To Captain Charles Griffith one Drum
 To Captain John Smith Calvert County one Trumpet
 To Captain William Young Baltimore County one Drum
 To Captain William Rogers's Independant Company 65 Musketts
 with Bayonetts and Slings, 65 Cartouch Boxes.

To Captain George Stewarts Troop of Horse, 20 Carbines with
 Bayonetts and Slings 20 Cartouch Boxes, 20 Frogs and 20 Pair of
 Pistols

To M^r Thomas Gough by Order of his Excellency Thomas Bladen
 Esq^r 2 half Barrels of Gunpowder for the Use of M^r Thomas Nevett
 Dorchester County

To the Prison and other Uses one half Barrell Gunpowder

All which is humbly submitted to the Consideration of this Honour-
 able House Signed p Order Tho^s Jennings Cl Com.

By the Committee appointed to inspect the Arms Ammunition and
 Accounts relating thereto October 25th 1742

Your Committee having examin'd and inspected the several Treas-
 urers Accounts of the three Pence Sterling p hhd do find the same as
 follows viz.

D^r

The Publick Stock on the Western Shore of Maryland on the duty
 of three Pence Sterling p hhd on Tobacco Exported ending Anno
 1740 for purchasing Arms

1741

June 22. To Money paid M ^r Onorio Razolini as	}	£	s	d
Armourer by the Order of his Excellency				
Samuel Ogle Esq ^r ; and Council as p his Receipt		43..	5..	0
To ditto his Order paid to ditto as p his Receipt		11..	0..	0
1742 To Sundry Goods now sent by the Balti- more by M ^r Samuel Hyde amounting in the whole as p Invoice and Shop Notes hereunto annexed	}	262..	19..	4
To Charges paid on Insurance by M ^r Hyde as p account.				
Balance due on this Account transmitted to M ^r Sam ^l Hyde of London		404..	10..	0

L. H. J. Cr

p. 361 1741	By Balance due on my last Account as p Account rendered and past by the last General Assembly in May Anno 1740	£ 730.. 6.. 10
	D ^r The same Stock on the Eastern Shore for the duty of three Pence Sterling p hh ^d on Tobacco Exported Anno 1741 for purchas- ing Arms and Ammunition	
1741		
May 8.	To 300 pair Pistols and Holsters pur- chased by Order of the Governor and Coun- cil as p Invoice from M ^r William Hunt of London dated as in the Margin and hereunto annexed	289.. 15.. 8
1742	To a large Flag purchased by Order of ditto as p Invoice from ditto, dated as in the Mar- gin and hereunto annexed	3.. 9.. 4
	Balance due on this Account	227.. 15.. 8¾
		<hr/> £521.. 0.. 8¾

Cr

	By Balance due on my last Account past with the General Assembly June 1741	£521.. 0.. 8¾
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We have likewise inspected the former Report made to your Honourable House from the Year 1717 to September 1739 and do find the Balance remitted by Samuel Young Esq^r late Treasurer of the Western Shore to Samuel Hyde and Company amounted to £1078 Sterling out of which Sum is to be deducted for Goods Ship'd and Consigned to M^r John Ross by Order of the Governor and Council as appears by an Invoice from the Report made by your Committee June 16. 1741 the sum of £341.. 13.. 8 which said last mentioned Sum being deducted from the aforesaid Sum of 1078£ the Balance then due in the hands of the said Samuel Hyde & Com-
pany remitted by the said Young is £736.. 6.. 4

In the said Youngs Executors hands £34.. 13.. 7¾

Gold

18.. 3

In the hands of M^r Samuel Hyde remitted by
Robert Ungle Esq^r as p Report made to the
Honourable House in the Year 1740

334.. 8.. 8½

In the said Hydes Hands the Balance of £529.. 6.. 10
paid the honourable Samuel Ogle Esq^r to pur-
chase Arms &c

157.. 18.. 8

In said Hydes hands remitted by Col^o Charles
Hammond

404.. 10.. 0

In the hands of James Holliday Esq^r as p Account
rendered this Assembly

227.. 15.. 8¾

The whole Amount of the sev- } £34.. 13.. 7¾ Gold £1861.. 17.. 8¼
eral Ballances now in hand is }

All which is by your Committee humbly submitted to the Con- L. H. J.
sideration of this hoñble House

Signed ʔ Order Tho^s Jennings Ct Com.

Invoice of Goods Ship'd on Board the Baltimore Jerningham
Biggs Master for Maryland on the proper Account and Risque of
the Province of Maryland and goes Consigned to M^r Charles Ham-
mond Treasurer of the Western Shore in said Province and Charged
as advised viz.

A Flag Roberts	£3..11.. 8
Drums Trumpets &c ^a Thompson	65..18.. 0
Swords White	179..13.. 4
Two Cases	—..17..—

£250.. 0.. 0

Entry Cockett and Searchers fees	£2..10..0
Porters Cartage and Warehouse Rent	1.. 0..0
Wharfage Shipping and Lighterage	1.. 0..0
Primage paid the Master	2.. 0..0
Bills of Lading	0.. 1..0

6.. 8.. 4 p. 362

£262..19.. 4

To Samuel Hyde Bo^t of Samuel Roberts February

10. 1741/2

A Black and Yellow Flag 83 Yards at 10 th	3.. 9.. 2
N ^o 74 A Box for ditto	1.. 6
Waterage	1.. 0

To deliver

26 Drums 39 Pair of Sticks	£3..11.. 8
N ^o 74 30 Trumpets, 39 Mouth Pieces	23.. 8.. 0
14 Packing Casks	39.. 0.. 0

£65..18.. 0

Samuel Hyde Esq^r Bought of Amos White

December 4. 1741

220 Basket Hilted Swords, at 13/	143.. 0.. 0
220 Buff Belts at 3/4	36..13.. 4

£179..13.. 4

London May 8. 1741

Invoice of Goods Shipt by William Hunt on Board the Ship
Milner, John Dixon Commander bound for Potapso River in Mary-

L. H. J. land being for the Account and Risque of the Province of Maryland by direction of James Holliday Esq^r Treasurer for the Eastern Shore of that Province and goes Consigned to M^r Onorio Razolini Armourer in Annapolis under Mark as π Margin viz.

Bought of Thomas Hardwell Goldsmith

300 Pair of Pistols at 13/ π Pair	195.. 0.. 0
12 Chests for ditto N ^o 1 @ 12 at 6/	3..12.. 0
300 Pair of Holsters at 4/3 per Pair	63..15.. 0
6 Chests for ditto N ^o 13 @ 18 at 8/6	2..11.. 0
Entry Cocket and Searchers fees	—..17..6
Cartage, Portorage Wharfage and Light- erage	1.. 6..0
Primage	2.. 5..0
<hr/>	
Insurance of 300£ at 4 π Cent and Policy 4/6	12.. 4.. 6
Commission on ditto at 1½ π Cent	1..10.. 0
Commission on £269..6..6 at 2½ π Cent	6..14.. 8
<hr/>	
	£289..15.. 8

Errors Excepted William Hunt

London April 10. 1742

Invoice of a Flag Ship'd by William Hunt on Board the Ship Duke Charles Gloyne Commander Bound for Potapsco River in Maryland, being for Account & Risque of the Province of Maryland by direction of James Holliday Esq^r Treasurer of the Eastern Shore of that Province and goes Consigned to M^r Onorio Razolini Armourer in Annapolis under Mark as π Margin

Bought of William Taylor

PM A Flag Containing 160 yards Narrow Bunting 160 Yards at 4½ ^s	3.. 0.. 0
A Box	1.. 6
p. 363 Cord and Cording the Box	0.. 0.. 4
Entry Cocket Searchers fees and Shipping Charges	0.. 3.. 0
Primage	0.. 2.. 6
Commission on £3..7..4 at 2½ π Cent	0.. 2..10
<hr/>	
	£3.. 9.. 4

Errors Excepted William Hunt

The House concurred with the aforesaid Reports

On Reading the Bill entituled an Act for raising three Pence Sterling π hhd for Arms & Ammunition &c with the Amendments made

The Question was put Whether the said Bill shall pass or not

Resolved in the Affirmative

L. H. J.

The Bill was accordingly so indorsed

The House Adjourns until the Morrow Morning at nine of the Clock

Wednesday Morning October 27. 1742

October 27

The House met according to Adjournment &c^a

Col^o Colvil from the Committee appointed to enquire into the State and Proceedings of the Committee for Emitting Bills of Credit &c^a delivers M^r Speaker the following Report (See page 296)

An Address to his Lordship relating to his Quit Rents was p. 365 brought in and Read, the Question was then put Whether the House approve thereof or not Resolved in the Affirmative

For the Affirmative

M ^r Griffith	M ^r Martin	M ^r Hyland
Chesley	Thomas	Scott
R. Gresham	Ennalls	Gordon
Calder	Hindman	Tasker
J. Gresham	Lecompte	Pemberton
King	George	Wright
Stoughton	Colvill	T. Wilkinson
Gale	Caswell	

For the Negative

M ^r Swann	M ^r Brome	M ^r Sheredine
Wilson	Harrison	Magruder
Carroll	Yeates	Wootton
Worthington	Lloyd	Sprigg
Smith	N. Goldsborough	
Weems	J. Goldsborough	

The Address to his Lordship was Ordered to be Ingrossed

Daniel Dulany Esq^r from the Upper House delivers M^r Speaker the following Message (See page 300)

And the Bill entituled an Act to divide Prince Georges County &c^a p. 366

The Bill entituled an Act for raising three Pence Sterling p hhd sent to the Upper House by Col^o King and M^r Wootton

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Paper Bill entituled an Act to enable Caleb Dorsey of Anne Arundel County Gent &c. Indorsed (See page 300)

And the Ingrossed Bill entituled an Act to enable Caleb Dorsey &c. Indorsed (See page 300)

- L. H. J. Which Paper Bill was here Read and Assented to and the Paper Bill Indorsed (See page 300)
and was sent to the Upper House by Captain Gordon and M^r Tasker
The House Adjourns until 2 of the Clock in the Afternoon

[i]

Post Merdiem

The House met according to Adjournment &c^a

M^r Henry Hall appeared in the House this Afternoon

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act to enable his Excellency Thomas Bladen Esq^r to purchase 4 Acres of Land &c^a Indorsed (See page 301)

On Motion of a Member that Commissioners be appointed to treat with the Northern Indians the Question was put Whether this House agrees to send Commissioners to treat with the Northern Indians or not

For the Affirmative

M ^r Swann	M ^r Lloyd	M ^r Scott
Calder	Thomas	Tasker
King	J. Goldsborough	Magruder
Stoughton	Ennalls	Pemberton
Gale	George	Wright
Martin	Caswell	Gordon
N. Goldsborough	Colvill	

For the Negative

M ^r Waughop	M ^r Worthington	M ^r Lecompte
Griffith	Smith	Sheredine
R. Gresham	Weems	Wilson
Chesley	Brome	Sprigg
J. Gresham	Yeates	Wootton
Carroll	Harrison	T. Wilkinson
H. Hall	Hyland	

The House being divided the Question was determined in the Affirmative by the honble Speaker

An Ingrossed Bill entituled an Act to enable the Rector Vestrymen and Church Wardens &c^a sent to the Upper House by Captain Gordon and M^r Tasker

An Ingrossed Bill entituled an Act for laying out and erecting a Town at a Place called Long Point &c sent to the Upper House by Col^o Colvil and Captain Hyland

- p. 367 The House Adjourns until the Morrow Morning at nine of the Clock

Thursday Morning October 28. 1742

L. H. J.
October 28

The House met according to Adjournment &c^a

All Members present as Yesterday except M^r Calder

On Reading the Report from the Committee appointed to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit it appears that several Clerks of the County Courts have omitted their duty in returning their Lists of the several Ordinary Keepers to the Commissioners of the Paper Office as they are by Law directed

The Question was put Whether the Clerks that have neglected their duty shall be sent for this Session or not? Resolved in the Negative

For the Negative

M ^r Chesley	M ^r Ennalls	M ^r Scott
Martin	Hindman	Sprigg
N. Goldsborough	George	Tasker
Lloyd	Colvil	Pemberton
Thomas	Hyland	Wright
J. Goldsborough	Magruder	T. Wilkinson

For the Affirmative

M ^r Waughop	M ^r Carroll	M ^r Yeates
Swann	H. Hall	Stoughton
Griffith	Smith	Lecompte
R. Gresham	Weems	Caswell
Wilson	Brome	Wootton
J. Gresham	Harrison	

Col^o Hammond from the Upper House delivers M^r Speaker the Bill entituled an Act for raising three Pence Sterling p hhd on all Tobacco &c Indorsed thus (See page 301)

Which Bill being Read with the Amendments proposed this House will not agree therewith Ordered that the said Bill be incerted on the Journal as follows viz.

An Act for raising three Pence Sterling p hhd. on all Tobacco to be Exported for purchasing Arms and Ammunition for the Defence of this Province p. 368

Whereas His Majesty our most Gracious Sovereign is now engaged in a War with Spain, and lest the Magazine of Arms and Ammunition now in the Province and the Moneys heretofore raised by any former Acts should prove insufficient for that Purpose We his Majestys faithful Subjects the Delegates of the Freemen of Maryland in General Assembly convened to testify our zeal to his Majestys Person and Government, and for putting ourselves in the best and Speediest Posture of Defence, we are able humbly pray that it may

L. H. J. be Enacted: And Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same, That there shall be Levied Collected and Raised, a Duty or Impost of Three Pence Sterling Money on every Hogshead of Tobacco which now is or hereafter shall be Laden on Board any Ship or Vessel to be Exported out of this Province and not Cleared at some Naval Office before the end of this Present Session of Assembly to be Collected and Received by the Respective Naval Officers in the same manner as other Duties on all Tobacco now due and Payable are Collected and Raised; which said duty shall from time to time, by the Naval Officers aforesaid, be paid to the Honourable Col^o Edward Sprigg the Speaker of the Lower House of Assembly or to the Honourable Speaker of the Lower House of Assembly for the time being

And Be it further Enacted by the Authority Advice and Consent af^{sd} that the same Col^o Edward Sprigg the present Speaker of the Lower House of Assembly or the Speaker of the Lower House of Assembly for the time being shall with the Money which he shall so receive by Virtue of this Act send for and purchase for the use of this Province such Arms Ammunition and other Warlike Stores as his Excellency his Lordships present Governor, or his Lordships Governor for the time being shall direct and appoint

And Be it further Enacted by the Authority aforesaid that the several Naval Officers shall from time to time make and render to both Houses of Assembly of this Province sufficient and clear Accounts of all Moneys which they shall receive by Virtue of this Act and that the same Col^o Edward Sprigg, the present Speaker of the Lower House of Assembly or the Speaker of the Lower House of Assembly for the time being, shall from time to time render to both Houses of Assembly Accounts of what Moneys he shall receive by Virtue of this Act & how the same shall have been disposed of

And Be it further Enacted, that the said several Naval Officers for Collecting and receiving the duty aforesaid and paying the same to the aforesaid Col^o Edward Sprigg the Speaker of the Lower House of Assembly or the Speaker of the Lower House of Assembly for the time being shall take and be allowed the Salary of five Pound 7 Cent for such part as they shall take or receive as Naval Officers and that the same Col^o Edward Sprigg the Speaker of the Lower House of Assembly or the Speaker of the Lower House of Assembly for the time being shall receive two Pounds ten Shillings per Cent for laying out and applying such Money collected as aforesaid according to the directions of this Act.

p. 369 And Be it further Enacted that if the Governor or Commander in Chief of this Province for the time being shall not direct any Arms Ammunition or other stores aforesaid to be purchased with the

Moneys arising from the Duties aforesaid before the next Session L. H. J. of Assembly after the Expiration of this Act that then the said Money or such part thereof as shall happen to be unapplied or unlaid out as aforesaid shall be applied to and for defraying the Public Charge of this Province as the House of Delegates in such future Assembly shall direct and appoint

And Be it likewise Enacted By the Authority aforesaid that Col^o Edward Sprigg the Speaker of the Lower House of Assembly or the Speaker of the Lower House of Assembly for the time being shall and he is hereby obliged to enter into Bond with one good Security payable to the Right Honourable the Lord Proprietary for the use of the Province of Maryland in the Sum of one Thousand Pounds Sterling Conditioned that he shall and will render a just Account of all Moneys by him received by Virtue of this Act and the same lay out and pay according to the directions herein before mentioned and such Bond Transmit to the Chancellor of Maryland for the time being to be lodged in the Chancery Office of the same Province

And Be it further Enacted by the Authority aforesaid that the Armourer or Person who now has or hereafter shall have the Care Keeping or distributing the Arms now in Store or which hereafter may be, shall and he or they are hereby obliged to keep a full and just Account of all Arms and Ammunition which hereafter he or they shall receive, and to whom by whose Order, and to what Use or Uses the same has been or shall be given out delivered or distributed and such Accounts with Vouchers lay before both Houses of Assembly Yearly Sworn to before one Provincial or County Justice Provided always that nothing herein contained shall extend or be construed to extend to Prejudice or take away any Right or Claim, which the People of this Province have or ought to have to any Money or Moneys heretofore or now levied by the Right Honourable the Lord Proprietary under Colour of an Act of Assembly made in the Year 1704 Entituled an Act for Settlement of an Annual Revenue upon her Majestys Governor within this Province for the time being or by any other Ways or Means whatsoever

This Act to continue to the last day of October which shall be in the Year of Our Lord 1743 and no longer

Edmund Jenings Esq^r from the Upper House delivers M^r Speaker the following Message (See page 302)

And the Journal of Accounts, Indorsed, By the Upper House of Assembly October 28. 1742 Read and Assented to.

The Question was put Whether the Commissioners to be appointed to treat with the Six Nations of Indians shall be impowered to make or engage any Presents to be made to the Six Nations of p. 370 Indians or not? Resolved in the Affirmative

L. H. J.

For the Affirmative

M ^r Waughop	M ^r Martin	M ^r Scott
Chesley	N. Goldsborough	Magruder
J. Gresham	Lloyd	Gordon
Carroll	Thomas	Tasker
Weems	J. Goldsborough	Pemberton
Stoughton	Colvil	Wright
King	George	
Gale	Caswell	

For the Negative

M ^r Swann	M ^r Brome	M ^r Ennalls
Griffith	Hindman	Sheredine
Wilson	Lecompte	Wootton
J. Hall	Hyland	Sprigg
Worthington	Harrison	
Smith	Yeates	

Col^o Gale from the Upper House delivers M^r Speaker the following Paper Bills viz. An Act reviving an Act of Assembly of this Province entituled an Act for the speedy Recovery of small Debts &c^a An Act for reviving an Act of Assembly entituled an Act for relieving the Inhabitants &c^a An Act for the Advancement of Justice &c^a An Act to prevent the Exportation of Indian Corn &c^a An Act to revive an Act of Assembly of this Province Entituled An Act for the better Relief &c^a An Act to prevent the ill Practices of Sheriffs &c^a An Act for the Trial of all matters of Fact &c^a An Act enabling the Justices of Cecil County to levy &c^a A Supplementary Act to the Act entituled an Act &c^a for repairing the Damages &c^a An Act for laying out the Town anew commonly called Snow Hill Town &c^a An Act to continue such Causes &c^a An Act for laying out and erecting a Town &c^a An Act to direct and empower the Clerk of Somerset County &c^a An Act to enable the Justices of Baltimore County &c^a An Act for Relief of Honor Hugell &c^a An Act for dividing Prince Georges Parish &c. An Act to divide Somerset County &c^a An Act encouraging the raising of Copper Ore &c^a An Act for raising a duty of three half Pence Sterling &c^a An Act to enable the Rector Vestrymen &c^a An Act for erecting and laying out a Town at a Place called Long Point &c^a

Severally Indorsed The Ingrossed Bill whereof this is the Original is read and Assented to Signed p Order J Ross Ct Up Ho.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment

A Bill entituled an Act for Assessment and Payment of the Public Charge of this Province was Read the first and second time by an

especial Order and will pass sent to the Upper House by M^r Lloyd L. H. J. and M^r Weems and the following Message (See page 303)

Philip Thomas Esq^r from the Upper House delivers M^r Speaker p. 371
A Bill entituled an Act for raising three half Pence Sterling p hhd on every hhd of Tobacco to be Exported out of this Province for Payment of an Agent &c^a Indorsed (See page 303)

The following Ingrossed Address to the Lord Proprietary concerning his Quit Rents was brought in viz.

To the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore

The Humble Address of the Delegates of the Freemen of the Province of Maryland in General Assembly Convened

May it please your Lordship

We his Majestys faithful and Dutiful Liege Subjects the Delegates of the Freemen of Maryland being desirous to promote your Lordships Interest as well as the Ease of your Tenants, and the Improvement of this part of his Majestys Dominions Therefore We humbly propose to your Lordship that in Lieu of your Lordships Quit Rents arising due within this your Province, to pay you in Sterling Money at London in Great Britain an Equivalent in such manner and form as may best suit your Lordship, and Conduce to the Ease and Welfare of the People We represent, and as shall hereafter be concluded upon.

We are well apprised of the great Expence to your Lordship in the present Method of the Collection of your Rents, as no doubt your Lordship is of the great Difficulty the Remote and back Inhabitants are, and will be under of raising Sterling Money for the Payment thereof and likewise the Necessity of Peopling those parts (tho' Remote) of his Majestys Dominions as well for making a good Barrier against the growing Power of the French, as to promote the Trade and Manufacture of Great Britain

Your Lordships kind Professions for the General Welfare of Maryland incline us to do all in our Power to bring about that good Harmony which has heretofore subsisted between your Noble Ancestors, your Lordship and the good People of this Province

Should your Lordship be inclinable to come into this Proposal We humbly Request proper Directions may be given to your Governor for the Purpose aforesaid which We hope may contribute towards accomplishing that good Agreement between your Lordship and your Tenants so much desired

Which being Read was Assented to and Signed on Behalf of the House by the Honourable Speaker

Ordered that an Address be prepared to his Excellency requesting him to communicate to the Lord Proprietary the Address of this House

L. H. J. An Address to his Excellency was brought in Read approved and ordered to be Ingrossed

The following Ingrossed Address viz.

To his Excellency Thomas Bladen Esquire Governor of Maryland

The humble Address of the House of Delegates

May it please your Excellency

Herewith you have an Address of the Delegates of this Province in Assembly Convened to the Right Honourable the Lord Proprietary in relation to the discharge of their Quit Rents also a duplicate thereof which We humbly pray your Excellency with all Convenient Speed to Transmit to his Lordship

p. 372 Being Read and Assented to was signed on Behalf of the House
by the Honourable Speaker

Col^o King and Major Gale sent to acquaint his Excellency therewith and to know when and where he will receive it, They return and acquaint M^r Speaker the Governor will be ready in an Hours time

George Plater Esq^r from the Upper House delivers M^r Speaker the Bill entituled an Act for the Assessment and Payment of the Public Charge Indorsed (See page 303)

An Ingrossed Bill entituled an Act to enable his Excellency Thomas Bladen Esq^r or the Governor for the time being to purchase four Acres of Land within the Fence of the City of Annapolis for the use of the Public and thereon to build a dwelling House with other Conveniences for the Residence of the Governor of Maryland for the time being and to repeal part of other Acts therein mentioned was Read and assented to and sent to the Upper House with the Paper Bill by Col^o King and M^r Chesley

The House proceeds to Tax the following Private Bills viz.
The Bill entituled an Act to enable Caleb Dorsey of Anne Arundel
County Gent to Sell and dispose of 49 acres of Land &c^a

To the Honourable Speaker I..10..0

To the Clerk 0..15..0

The Bill entitled an Act to empower the Clerk of Somerset County to enter and Record among the said County Records a Deed of Bargain and Sale from John Martin to James Martin &c^a

To the Honourable Speaker I.. 0..0

To the Clerk 0..10..0

The Bill entituled an Act encouraging the Raising of Copper Ore &c^a

To the Honourable Speaker 2..0..0

To the Clerk I..0..0

William Stoughton Esq^r and five more sent to present the Address to his Excellency with the Address to his Lordship and the Duplicate thereof

On Motion of a Member that an Address be prepared to his L. H. J. Excellency to Order the several Naval Officers to lay before the Gentlemen appointed to transact all matters and things necessary to bring the Addresses of this House to a speedy Conclusion Copies of the Orders whereby they receive the Duties of 14^s Sterl p Ton &c^a Ordered that Doctor Carroll and Col^o Colvil prepare and bring in such Address

Ordered that the Clerk of this House acquaint the Commissioners of the Paper Currency that they are required by this House to write to the Trustees in England to send with all Convenient Speed the Account of the 1/3 p hhd which is missing between March 4. 1737 and December 18. 1739

Ordered that the Clerk of this House write to the several Naval Officers who have Omitted to send their Accounts of the 1/3^d p hhd to this Assembly that they may be more careful in transmitting their Accounts to future Assemblies

p. 373

An Address to his Excellency the Governor being prepared was Brought in Read and Approved and Ordered to be Ingrossed

Col^o King and Doctor Carroll Ordered to prepare an Answer to the Governors Letter about the Indians

An Ingrossed Bill entituled an Act for the Assessment and Payment of the Public Charge of this Province was Read and Assented to.

The House Adjourns until the Morrow Morning at nine of the Clock

Friday Morning October 29. 1742

October 29

The House met according to Adjournment &c^a

The following Ingrossed Address was Read and Assented to and Signed on Behalf of the House by the Honourable Speaker

To his Excellency Thomas Bladen Esquire Governor of Maryland

The humble Address of the Delegates of the Freemen of the said Province in General Assembly Convened

May it please your Excellency

Whereas this House are well advised that his Lordship the Right Honourable the Lord Proprietary Levies under the Colour of former Acts of Assembly of this Province not now in Force the Sum of 14^d Sterling p Ton on the Tonnage of all Shipping Trading into this Province, not owned by the Inhabitants thereof, as also the Sum of Twelve Pence Sterling for every hhd of Tobacco exported out of this Province, and inasmuch as there is now lodged an Address to be presented to his Lordship, praying a Redress of those among other Aggrievances therein mentioned and in failure of a Redress thereby, have also lodged an Address to his Most Sacred Majesty in Council for Relief, We therefore humbly pray that to enable us to proceed

L. H. J. therein your Excellency will Order the several Naval Officers to make Copies of the Orders by which they receive the same Duties and of the Amount of the same respectively for two Years, past, signifying under or by what Laws they receive the Duties aforesaid and such Copies and Accounts Prove on their Corporal Oaths respectively before some Provincial Justice and such Proofs Authenticate under the Great Seal of this Province, and Order the same to be delivered to the Honourable Speaker, M^r James Calder, M^r Philip Hammond, Doctor Charles Carroll, M^r Henry Hall, M^r Thomas Worthington, M^r John Magruder, M^r Turnor Wootton and M^r Osborn Sprigg or any two or three of them applying for the same who are by this House Authorized to transmit the same to the Agent employed by this House in Great Britain

M^r Wootton and M^r John Goldsborough sent to acquaint his Excellency therewith and to desire to know when and where he will be pleased to receive it they return and acquaint M^r Speaker the Governor will be ready in an Hours time to receive it in the Conference Chamber

An Address to his Excellency the Governor was brought in Read Approved & Ordered to be Ingrossed viz.

To his Excellency Thomas Bladen Esquire Governor of Maryland

The humble Address of the Delegates of the said Province
May it please your Excellency

p. 374 In Answer to your Message to both Houses of Assembly of the 24th Instant sent to us by the Upper House and by many Letters and Papers communicated to Us by your Excellency We presume the uneasiness of the Six Nations of Indians proceeds from a Claim they pretend to have to some Land in this Province for which they peremptorily demand Satisfaction to be made them and that the necessity of entring into any Treaty with them at this time arises from the Claim and Demand aforesaid

The People of Maryland have paid the Proprietary Family and now continue to pay his present Lordship very high Rates and Rents for the Lands they purchase and hold Wherefore We think his Lordship should be at the Charge arising on that Claim and likewise of any Satisfaction to be made the said Indians thereon

However to demonstrate our good inclination for keeping up a Peace and Friendship with those Nations, and in Compliance with your Desire We have appointed Col^o Robert King and Doctor Charles Carroll of this House to join with any Gentlemen of the Upper House who shall be appointed to Negotiate that Affair

We have likewise agreed that A Sum not exceeding three hundred Pounds Sterling be applied out of the Money now in Bank arising by the three pence p hhd for Arms and Ammunition towards the purchase of such Goods as may best Suit for a Present to the

said Indians as also such further Sum as may be necessary for de- L. H. J.
fraying the Expence and Charges of the said Commissioners

The first Ingrossed Address to his Excellency was sent by
M^r Smith & Eleven more

An Ingrossed Address to his Excellency was Read and Assented
to & Signed on Behalf of the House by the Honourable Speaker

M^r Magruder and M^r Wright sent to acquaint his Excellency
therewith and desire to know when and where he will please to re-
ceive it they return and acquaint M^r Speaker the Governor will be
ready to receive it immediately in the Conference Chamber

Col^o King and Doctor Carroll sent to present the Address to his
Excellency

The following Message (See page 304)

Was sent to the Upper House by M^r Tasker and M^r Chesley

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem. The house met (3P. M.)

The Ingrossed Bill entituled an Act for the Assessment & Pay-
ment of the Public Charge &c^a sent to the Upper House with the
Paper Bill by M^r Henry Hall & M^r Chesley

The Bill for an Annual Revenue for the Governor read & com-
mitted for Amendments

Ordered and Resolved that the Honourable Speaker M^r James
Calder M^r Philip Hammond Doctor Charles Carroll M^r Henry p. 375
Hall, M^r Thomas Worthington M^r John Magruder M^r Turnor
Wootton and M^r Osborn Sprigg or any two or more of them do pre-
pare with all possible dispatch Authenticated Copies of all such
Records and other necessary Papers and Evidences as they or any
two or more of them shall think fit for carrying on the Addresses to
the Kings most Excellent Majesty and the Right Honourable the
Lord Proprietary concerning the Aggrievances contained in the
several Resolves of this House at their Meeting in May 1739 and
that the said Members or any two or more of them do in Behalf of
this House and the People of this Province, transmit and Negotiate
all matters and things necessary to bring the same Addresses to a
speedy Conclusion

Samuel Chamberlain Esq^r from the Upper House delivers
M^r Speaker the Paper Bill entituled an Act for the Assessment and
Payment of the Public Charge &c^a And the Paper Bill entituled
an Act to enable his Excellency Thomas Bladen Esq^r or the Gov-
ernor for the time being &c. Severally Indorsed (See page 303)

Ordered that William Stoughton Esq^r and Col^o Colvil acquaint
his Excellency that no Business of any Moment lies before this
House to Transact

L. H. J. Edmund Jenings and Samuel Chamberlain Esq^{rs} from the Upper House acquaint M^r Speaker that the Governor requires the Attendance of the Lower House immediately in the Upper House

M^r Speaker and the rest of the Members of the Lower House went to the Upper House where M^r Speaker Presented to his Excellency the following Ingrossed Bills (See page 305)

p. 376 All which his Excellency passed into Laws in the usual manner :
and then his Excellency made the following Speech (See page 307)

p. 377 Mr Speaker and the rest of the Members of the Lower House returned, where after his resuming the Chair, he acquainted the several Members of the Lower House with what his Excellency had done and said

So Endeth this first Session of Assembly this 29th Day of October
In the 28th Year of his Lordships Dominion and in the Year of our
Lord God 1742 Test M Macnemara Ct lo. ho.

ACTS

At an Assembly begun and held at the City of Annapolis the twenty first day of September in the Twenty Eighth Year of the Dominion of the Right Honble Charles Absolute Lord & Propry of the Provinces of Maryland & Avalon Lord Baron of Baltimore &c Annoq Domini 1742 and Ending the twenty ninth day of October following

Session
Laws
p. 1
Chapter I.

The following Laws were Enacted and assented to by His Excellency Thomas Bladen, Esquire, Governor.

An Act to Enforce the Collection and Payment of the public Charge of this Province, pursuant to an Act of Assembly Entituled, *An Act for the Assessment of the public Charge of this Province*, made at a Session of Assembly begun and held at the City of *Annapolis*, the Twenty-sixth Day of *May*, *Anno Domini* 1741. Preamble.

Whereas, the Right Honourable the Lord Proprietary hath declared his Disapprobation of an Act of Assembly of this Province, passed the Twenty-second Day of *June*, *Anno Domini* One Thousand Seven Hundred and Forty-one, Entituled, *An Act for the Assessment and Payment of the public Charge of this Province*, as appears by a Proclamation bearing Date at *Annapolis*, the Seventeenth Day of *April*, One Thousand Seven Hundred and Forty-two; by means of which the several Sheriffs, who, before the issuing of that Proclamation, had collected the greatest Part of the Moneys directed to be levied by that Act, did immediately forbear collecting the Residue thereof, and several of them have, and still do retain in their Hands such Part thereof as they had collected, and refused to pay the same to the Creditors of the Public, for whose Use the same had been collected and levied, to the great Detriment of the public Credit, and many other Inconveniences to the good People of this Province: For Remedy whereof,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Publication hereof, the several Sheriffs within this Province, who had begun the Levying and Collecting the Money aforesaid, shall, and are hereby required and directed to Levy and Collect the Residue of the said Money, now remaining uncollected in their respective Counties, according to the Directions, Powers, and Authorities, in the above-recited Act contained and mentioned, and the same so levied and collected together, with such Part thereof as has been already Collected, to Account for, and pay to the several public Creditors in their respective Counties, according

Public Debt
to be paid
by Decemb
20th.

Session Laws to the Assessment and Apportionment of the Committee appointed by the said Act, on, or before the Twentieth Day of *December* next.

Sheriffs now out of Office are to finish the Collection of the public Charge. And for as much as some Persons, who were Sheriffs at the Time of making the aforesaid Act, and had collected Part of the said Money, are now out of their Offices or may be out of their Offices before the aforesaid Twentieth Day of *December*, *Be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That the same several Persons shall, and are hereby enabled, required, and authorized to Levy, Collect, and Pay the Money aforesaid, according to the Directions aforesaid, and of this Act; the Expiration of their said Offices, or any Law, Statute, Usage, Custom, Matter, or Thing, to the contrary notwithstanding.

p. 2 *And be it further Enacted, by the Authority aforesaid*, That if any of the aforesaid Sheriffs, or Persons, should be now dead, or hereafter should die before the aforesaid Twentieth Day of *December*, That then and in every such Case, the Executors or Administrators of such deceased Sheriff, or Person, shall, and are hereby required and impowered to complete the Collection and Payment aforesaid, so far forth as the same had been left undone by such deceased Sheriff, or Person, in the same Manner as such deceased Person, or Sheriff, might, or could have done in his Life-time: And if it shall happen, that no Person shall take upon him or herself the Administration of such deceased Person's, or Sheriff's personal Estate; the Securities, or one of them, named in the Bond of such deceased Sheriff, given for the due Execution of his Office, for the Year in which the aforesaid Collection, by the before-recited Act, was to have been made, shall, and are hereby required and impowered to Make, Complete, and Finish the Collection and Payment aforesaid, in Manner aforesaid.

Executors of deceased Sheriffs to complete the Collection.

Securities of Sheriffs to see this Act duly executed.

And be it further Enacted, by the Advice, Consent, and Authority aforesaid, That the several Bonds given by the Sheriffs of this Province, for the due Execution of their Offices, for the Year wherein the Collection and Payment of the Money aforesaid, by Virtue of the before herein recited Act, was to have been made and finished, and the Securities in the same Bonds named and mentioned, their Heirs, Executors, and Administrators, are, and shall be liable and bound for the due Execution of this Act, and of all Things herein required to be done and performed, as fully and amply, to all Intents and Purposes, as they are, were, or ought to have been, for the Execution of the aforesaid recited Act, or as if the aforesaid Disapprobation had never happened or been; any Law, Usage, or Custom, to the contrary notwithstanding.

Sheriffs to receive all such as are delivered into their Custody for Non-Payment.

And be it further Enacted, by the Authority, Advice, and Consent aforesaid, That if any Person or Persons, directed and impowered by Virtue of this Act, to Collect, Levy, and Pay the Money aforesaid, and not being the Sheriff of the County, shall take the Body of any other Person in Execution, for the Payment and Satisfaction of

such Part of the said Money, as shall be by him or her due and payable; that then such Person or Persons, so taking the Body of such other Person, shall immediately carry such other Person to the Sheriff of the County for the Time being, which Sheriff is hereby required and obliged to receive such Person into his Goal, and him or her there safely to keep; until the Sum or Sums of Money, for which he or she had been so taken, shall be paid and satisfied. *And be it further Enacted*, That the Sheriffs of each County shall, and are hereby obliged on the next Sunday after they shall receive an Authentic Copy of this Act, to publish the same by reading it at each Church-Door, in their respective Counties, immediately after Divine Service, and before the Congregation be separated; and that the Body, Goods or Chattels, Lands or Tenements, of any Person whatsoever, shall not be liable to Execution for any Part of the Money aforesaid, before the Expiration of Twenty Days after such Publication.

Session
Laws

Execution
is not to
commence
'till 20 Days
after Pub-
lication of
the Act.
p. 3

An Act, reviving an Act of Assembly of this Province, Entituled, Chapter II.
An Act for the speedy Recovery of Small Debts out of Court, before a single Justice of the Peace.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above-mentioned Act, Entituled, *An Act for the speedy Recovery of small Debts out of Court, before a single Justice of the Peace*, made at a Session of Assembly begun and held at the City of Annapolis the Eleventh Day of July, Anno Domini, One Thousand Seven Hundred and Thirty-two, be, and is hereby, revived, and to be, and remain, in Force for, and during the Term of Three Years, and unto the End of the next Session of Assembly, that shall happen after the End of the said Three Years.

An Act
revived.

An Act for reviving an Act of Assembly Entituled, *An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law*; and for reviving and continuing the Supplementary Act thereto. Chapter III.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly Entituled, *An Act for relieving the Inhabitants of this Province from some Aggrievances, in the Prosecution of Suits at Law*, made at a Session of Assembly, begun and held at the City of Annapolis the Twenty-second Day of June, Anno Domini, Seventeen Hundred and Fourteen, be, and is hereby revived, and shall be in full Force from and after the End of this Session of Assembly, for, and during the Term of Three Years, and to the End of the next Session of Assembly which shall happen after the

An Act
revived.

Session
Laws
Supplemen-
tary Act re-
vived and
continued.

End of the said Three Years. *And also, That one other Act Entitled, A Supplementary Act to the Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly, begun and held at the City of Annapolis the Third Day of October, Anno Domini Seventeen Hundred and Twenty-eight, shall be, and is hereby revived and continued in full Force, during the Continuance of the first-recited Act*
p. 4 aforesaid.

Chapter IV.
[Continued
by 1746
Ch. 2 and
1750 Ch. 4]

An Act for the Advancement of Justice.

Whereas, notwithstanding the several Laws heretofore made for the Advancement of Justice, Amendment of the Law, and aiding and supplying several Defects in Judicial Proceedings, great Delay, Trouble, and Expences have been, and still are occasioned by Demurrers, arresting and reversing of Judgments, and staying Executions by Writs of Error and Appeal; there being yet no sufficient Provision made for the aiding such Omissions, Errors, and Imperfections as are usually taken Advantage of by Special Demurrers; and also for the aiding such Defects in the Entries of Clerks, as are frequently taken Advantage of, on the Prosecuting Writs of Error or Appeals, as well as divers other Advantages of other Defects, or pretended Defects or Errors, which only serve to prevent or divert the Examination of, and giving Judgment on the very Right of the Cause: For Remedy whereof,

Judgment
to be given
according
to the Right
of the
Cause,
without
Regard to
Defects in
the Action.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That in all Actions to be commenced after the End of this Session of Assembly, the Justices of the several Courts of Law within this Province, shall proceed and give Judgment according as the very Right of the Cause and Matter in Law shall appear to them, without regarding any such Omission, Defects, Advantages, or Pretences as aforesaid, so as sufficient Matter shall appear in the Proceedings, upon which the Court may proceed to give Judgment according to the very Right of the Cause, and Matter in Law, and that it shall appear that the Action shall be commenced after the Cause thereof shall accrue; and that no such Judgment shall be reversed or set aside, or Execution thereon delayed, for or by Reason of any such Imperfection, Omission, or Defect; any Law, Usage, or Custom, to the contrary notwithstanding.

This Act
not to
extend to
Treason,
Felony or
Murder.

Provided always, and be it Enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, or to any Indictment or Presentment of Treason, Felony, or Murder, or other Matter, or to any Process upon any of them, or to any Writ, Bill, Action, or Information, upon any Penal Statute.

And be it Enacted by the Authority aforesaid, That in all Actions hereafter to be commenced in the Provincial Court, for the Recovery of any certain Sum of Money, or Quantity of Tobacco, within the Jurisdiction of that Court where the Plaintiff is desirous of a speedy Tryal, That if the Plaintiff shall send a Copy of the Declaration in the Case, with the Writ, and cause the same to be sued on, or delivered to the Defendant, or left at his or her Place of Abode, Twenty Days at the least, before the Appearance-Court, it shall and may be lawful for the Justices of the said Court, and they are by this Act required, to proceed to Tryal the same Court; and if the Defendant shall refuse or neglect to answer or plead, to render Judgment for the Plaintiff with Cost of Suit, unless sufficient Cause be shewn by the Defendant, why there should be an Impar lance.

Session
Laws
Justices are
to proceed
to Tryal,
on the
Plaintiff's
sending a
Copy of the
Declaration
20 Days
before Ap-
pearance-
Court.

p. 5

And whereas, several Judgments have been rendered in the County-Courts, according to the strict Rules of Law, and against Equity, for small Sums, that the Chancery-Court could not have any Cognizance of, to the great Loss and Prejudice of several of the poorer Sort of People, and Ruin of some; for Remedy whereof, *Be it Enacted by the Authority aforesaid,* That in all Actions in the County-Courts, where the Matter or Thing in Dispute is not of sufficient Value to remove the same into Chancery, the Justices of the County-Court, where such Action shall be brought, may and shall (at the Prayer of either Plaintiff or Defendant, either before or after Judgment, or Verdict of a Jury, at Common Law) hear and determine the same, according to the Rules of Equity and good Conscience, as fully and amply as the Chancellor, or Keeper of the Great Seal might do in any Case within the Jurisdiction of the Chancery-Court; any Law, Usage, Verdict of a Jury, or Custom, to the Contrary notwithstanding.

Actions to
be deter-
mined by
the Justice
of County-
Courts,
according
to Equity;
the Thing
in Dispute
not being of
sufficient
Value to
move 'em
into
Chancery.

And be it Enacted, That where any Person or Persons is or are bound in any Bond, or other Obligation, for the Payment of Money, Tobacco, or other Goods, or indorse any Bill of Exchange that shall be protested, and the Money, Tobacco, or other Goods, or such Part thereof as shall be unpaid by the principal Debtor, shall be paid or tender'd by the Surety or Indorser, that the Oblige e or Indorsee shall be obliged to assign such Bond, Obligation, or protested Bill, to the Surety paying or tendering the Money, Tobacco, or other Goods, due as aforesaid; and that the Assignee shall and may by Virtue of such Assignment and this Act, have an Action in his or her own Name, against the principal Debtor; any Law, Usage, or Custom, to the contrary notwithstanding.

The
Obligee, or
Indorsee, to
assign the
Obligation
to the
Surety, on
tendering
the Sum
sued for, &c.

And be it Enacted, That where any Person shall recover Judgment against the principal Debtor and Surety, and such Judgment shall be satisfied by the Sureties, that the Creditor shall be obliged to assign such Judgment to the Surety satisfying the same, and that the Assignee shall be entituled unto, and have the same Execution against the principal Debtor, by Virtue of such Assignment and this Act, as

Session Laws the Creditor might or ought to have had; and that where Judgment shall be rendered against several Sureties, and one of them satisfies the whole, the Plaintiff, or Creditor shall be obliged to assign such Judgment to the Surety satisfying the same, and that the Assignee shall have, and be entitled to an Execution against the other Sureties, against whom Judgment hath been obtained by the principal Creditor, for a proportionable Part of the Debt or Damage paid by such Assignee; any Law, Usage, or Custom, to the contrary notwithstanding. *Provided always*, That no Defendant, or Defendants, shall be precluded or debarred of his or their Remedy against the Plaintiff, by *Audita querela*, or other Proceeding whatsoever; any Thing in this Act to the contrary notwithstanding.

p. 6
The Plaintiff to give Security to the Defendant, to make Restitution, upon due proof that all, or any Part of the Debt was satisfied before Recovery thereof by Law.

And to the End That no Person who shall not be found and served with the usual Process, and against whom any Judgment shall be rendered henceforth in the Provincial Court, by Virtue of this Act, where the Debtor, Damage sued for, or any Part thereof, is now, or at any Time before the Commencement of such Suit shall be paid, shall be injured or surprized into such Judgment, *Be it Enacted by and with the Authority, Advice, and Consent aforesaid*, That when, and as often as any Sum of Money, Quantity of Tobacco, or other Goods, shall be taken in Execution, or any Land shall be extended by Virtue of any Judgment in the Provincial Court, that shall be rendered against any Person who shall not be arrested or taken upon, and by Virtue of, the usual Process in the Case, the Person to whose Use any Money, Tobacco, or other Effects, shall be levied, or any Land extended, shall be obliged to give sufficient Security in the Provincial Court, to restore such Money, Tobacco, Goods, or Lands, to the Defendant or Defendants, at any Time within Three Years from the Return of any Execution, executed in case such Defendant or Defendants shall make appear, within that Time, that he, she, or they had satisfied the Sum sued for, recovered, and executed; and in case the Defendant or Defendants shall make appear that any Part hath been satisfied as aforesaid, that then, and in such Case, the Court shall award Restitution to be made to such Defendant or Defendants, of so much as he, she, or they, have paid, and the Money, Tobacco, or other Goods levied, or Lands extended, exceeds the real Debt or Damages, and legal Costs of Suit; any Law, Usage, or Custom, to the contrary notwithstanding.

In such Case, the Provincial Court may vacate Judgment, and

And be it further Enacted, That if any Person, who shall not be taken and arrested as aforesaid, and against whom any such Judgment shall be rendered as aforesaid, and whereof no Part shall be levied or extended by Virtue of any Execution, shall at any Time, within Three Years after the rendering such Judgment, make appear to the Provincial-Court, that the real Debt or Damage, for which such Judgment shall be rendered, hath been satisfied before the rendering thereof, that then, and in all such Cases, the Provincial Court shall and may vacate such Judgment: any Law, Usage, or Custom, to the contrary notwithstanding.

And be it further Enacted, That where any Person or Persons, who shall not be arrested or taken as aforesaid, and against whom such Judgment shall be rendered as aforesaid, and no Part of the Debt, Damage, or Cost is recovered, shall be levied or extended, if such Person or Persons shall, within the Time aforesaid, make appear to the Provincial Court, that any Part of the Debt or Damage recovered was satisfied and paid before such Recovery, that then, and in all such Cases, the Provincial Court shall order a Rule to be made and entered, to stay Execution, for such Part as shall be made appear to have been so satisfied and paid; any Law, Usage, or Custom, to the contrary notwithstanding.

Session
Laws

Order a
Rule to be
made to
stop
Execution.

And be it Enacted by the Authority aforesaid, That all Bonds, or other Obligations under Hand and Seal, shall be assignable from one Person to another under Hand and Seal, and that the Assignee in such Case, shall and may, by Virtue of such Assignment, maintain an Action or Actions on such Bond or Obligation, in his or her own Name, against the Obligor or Obligors therein named; and if it shall happen, that such Obligor or Obligors shall be unable to pay the Debt mentioned in such Obligation, or cannot be found in the Place or County of his usual Abode, or any other Thing or Casualty should happen, whereby the Assignee should not be able to receive or recover his Debt from such Obligor or Obligors, that then, and in every such Case, the like Action shall and may be maintainable by such Assignee against the Obligee or Obligees in such Obligation mentioned; any Law, Usage, or Custom, to the Contrary notwithstanding.

p. 7
Bonds,
or other
Obligations,
to be
Assignable
from one to
another.

Provided, That where any Debt shall be lost by the Negligence or Default of the Assignee or Assignees, that the Assignor or Assignors shall not be liable, any such Assignment notwithstanding.

Provided also, That the Assignor or Assignors shall make Oath (or Affirmation, if a Quaker) before some Magistrate, that he, she, or they, hath or have received no Part of the Sum mentioned in such Obligation or but such Part thereof as shall be mentioned in such Oath or Affirmation, at the Time of making any such Assignment, to be Indorsed on such Bond or Obligation.

And be it likewise Enacted, That any Person knowingly swearing or affirming falsely in the Premises, and being thereof convict by due Course of Law, shall suffer as in the Case of wilful and corrupt Perjury.

False
Swearing
punished
as Perjury.

And be it further Enacted by the Authority aforesaid, That an Attorney being concerned for either Plaintiff or Defendant, in any Cause of Equity to be heard before the County-Courts aforesaid, shall have and receive One Hundred Pounds of Tobacco for his Fee, in any such Case.

Attorneys
Fees 100 lb.
of Tobacco.

This Act to continue for Three Years, and to the End of the next Session of Assembly that shall happen after the End of the said Three Years.

Session
Laws
Chapter V.

An Act to prevent the Exportation of *Indian* Corn for the Time therein limited.

Preamble.

Whereas, by the old Stock of *Indian* Corn being intirely exhausted, and a certainty of the shortness of the present Crop of the said Grain, it is apprehended by this present General Assembly, that there will not be a sufficient Quantity thereof made in the Province to answer the necessary Occasions of the Inhabitants; it is therefore prayed that it may be Enacted, and

No *Indian*
Corn to be
Exported
from Nov.
20, to July 1,
1743.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Twentieth Day of *November* next, no *Indian* Corn shall be Exported out of this Province at any Time, until after the First Day of *July* next.

And be it further Enacted by the Authority aforesaid, That all
p. 8 *Indian* Corn which shall be taken on board any Ship or Vessel, to be Exported out of this Province, from and after the aforesaid Twentieth Day of *November* next, until the First Day of *July* next, inclusive, which shall be in the Year of our Lord God, One Thousand Seven Hundred and Forty-three, shall be forfeited, and may be seized by the Naval Officer, Collector, or other Officer of the Customs, in the Port or District where the same shall be laden and put on board to be Exported, and as soon as possible exposed to public Sale; and moreover, that the Owner or Shipper of such Corn, so taken on board to be Exported, shall for every Bushel of such Corn so taken on board as aforesaid, in order to be Exported, forfeit and pay the Sum of Three Shillings Current Money of this Province, to be recovered by Action of Debt, Bill, Complaint, or Information, one Moiety of all, and every of which Forfeitures, shall be divided amongst the greatest Objects of Charity in the County where such Seizure shall be made, of which Objects, the major Part of the Justices of such County shall judge and determine; the other Moiety to the Informer, and Officer, or Officers, who shall inform, and seize the said Corn, and sue for the same.

The Owner
of such
Corn to pay
3s. for every
Bushel
so seiz'd.

Corn necessary for the Use of the Vessel, excepted.

Provided always, That nothing herein contained shall extend, to restrain the taking on board any Ship or Vessel *Indian* Corn for the necessary Victualling such Ship or Vessel, during the Voyage, not exceeding Five Bushels for every Person belonging to, and on board such Ship or Vessel; any Thing herein contained to the contrary notwithstanding.

Masters of
Vessels to
swear to
the Quantity
of *Indian*
Corn on
Board.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That every Master, or Skipper, of any Ship or Vessel shall at the Time of his or their Clearing such Ship or Vessel, make Oath to the Quantity of the *Indian* Corn he, or they, have on board such Ship or Vessel, before the Naval Officer or Collector, and which Oath the said Naval Officer or Collector is, and are hereby impow-

ered and obliged to Administer, before the Clearing of such Ship or Vessel.

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Laws

And be it further Enacted by the Authority aforesaid, That upon Information to be made to any Naval Officer or Collector within this Province, of *Indian* Corn taken on board any Ship or Vessel, to be Exported out of this Province, such Naval Officer or Collector is and are hereby obliged to search such Ship or Vessel, and if he or they shall discover any greater Quantities of Corn on board such Ship or Vessel, than is before by this Act permitted to be taken on board, for the necessary victualling such Ship or Vessel during the Voyage, or see other legal Cause, such Officer or Officers shall and are hereby obliged to seize such Corn, for the Uses in this Act before mentioned.

Naval
Officers to
search
Vessels,
upon In-
formation
given.

And be it Enacted by the Authority, Advice, and Consent aforesaid, That between the Twentieth Day of *November* next, and the First Day of *July* which shall be in the Year of our Lord, One Thousand Seven Hundred and Forty-three, all Persons whatsoever, who shall have the Property or Disposal of any *Indian* Corn, and who shall carry or cause to be carried, or shall permit, suffer, or connive at, the same being carried out of their Houses, Custody, or Possession, in order to be conveyed out of the Province, or into the Counties of *Newcastle, Kent, or Sussex* upon *Delaware*, or any Parts of the said Counties now under the Government of the same, or into any Part or Parts of the Lands or Territories now under the Government of the Province of *Pennsylvania*, such Person or Persons, so carrying or causing to be carried, or permitting, suffering, or conniving at the carrying, carting, or conveying any *Indian* Corn, as aforesaid, out of the Province, by Land, or into the said three Lower Counties of *Newcastle, Kent, and Sussex*, aforesaid, or any Parts of the same, or the Lands or Territories now under the Government of the Province of *Pennsylvania* aforesaid, their Assistants and Abettors, or any of them, shall forfeit and pay for every Bushel of *Indian* Corn, so carried, or caused to be carried, or permitted to be conveyed and carried out of this Province, or into the said three Lower Counties, or any Parts thereof, or of the Lands or Territories, as aforesaid, the Sum of Five Shillings Current Money, to be recovered by Action of Debt, Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed; the one Moiety of which said Forfeiture shall be to the Informer, or him or them that will sue for the same, and the other Moiety to be applied for the Use of the Poor of the Parish where such Seizure shall be made, in the same Manner as is herein by this Act before directed.

Those who
connive at,
or cause to
be carried
out of this
Province
any Corn,
by Waggon,
or other-
wise, to
pay 5 s. for
every
Bushel.

p. 9

And be it further Enacted, by the Authority, Advice, and Consent aforesaid, That where any Person or Persons whatsoever, shall discover any Beasts of Burthen, or any Cart, Waggon, or other Land-Carriage, loaden with *Indian* Corn, and have Reason to suspect the same is carrying, or designed to be carried and transported by Land,

Beasts of
Burthen,
Carriages,
&c. carrying
Indian Corn
out of the
Province, to
be forfeited.

Session out of this Province, or into the said three Lower Counties upon
 Laws *Delaware*, or any Parts thereof, or of the Lands or Territories as
 aforesaid, it shall and may be lawful for such Person or Persons, so
 discovering the same, to stop and seize the said Beasts of Burthen
 or Carriages so loaden as aforesaid, all which said Beasts of Burthen,
 and also all such Carriages, together with their Teams and Tackle,
 shall be forfeited, the one Half of the Value thereof to the Person
 discovering and seizing the same, the other Half to the Use of the
 Poor of the Parish where such Discovery and Seizure shall be made,
 agreeable to the Directions as is herein before directed, and to be
 recovered as before-mentioned; unless the Driver or Drivers of the
 said Beasts or Carriages, or the Owner of the said *Indian* Corn,
 or some other legal Evidence, shall in Five Days immediately next
 after such Seizure, prove by Oath, before some Magistrate of the
 County where such Discovery or Seizure shall be made, that the said
Indian Corn so discovered and seized as aforesaid, was not designed
 or intended to be carried away, or transported by Land out of the
 Province, or into the said three Lower Counties upon *Delaware*, or
 any Part thereof, or into the Lands or Territories as aforesaid, con-
 trary to the true Intent and Meaning of this Act, but was really and
bona fide only to be carried to some convenient Place, Port, or Land-
 ing, within the Province of *Maryland*, and within the immediate
 Jurisdiction thereof.

And be it further Enacted, by the Authority, Advice, and Consent
 p. 10 *aforesaid*, That every Officer of the Customs within this Province,
 Justices, Provincial Justice, Justice of the Peace, Sheriff, Under-Sheriff,
 Sheriffs, Vestry-man, Church-warden, and Constable, and every of them,
 and Parish- Officers, to shall be, and are by this Act impowered, enjoined and required re-
 promote the spectively to put this Act in Execution, and be aiding and assisting
 of this Act. to every Person that shall make any Information, Discovery, or
 Seizure, on Pain of forfeiting Five Pounds Current Money for every
 Neglect or Omission, to be recovered in the Manner, and to the
 Uses aforesaid.

And be it Enacted by the Authority aforesaid, That where any In-
 formations shall be exhibited, or Actions brought, for or touching
 any Matter or Thing in this Act set forth or relating thereto, that
 such Action or Actions, notwithstanding the Expiration of the Time
 from the said Twentieth of *November* to the First Day of *July* fol-
 lowing, shall not be determined, but that such Actions shall proceed
 and continue until a full Determination thereof by due Course of
 Law, according to the true Intent and Meaning of this Act; any
 other Law, Custom, or Usage, to the contrary notwithstanding.

Chapter VI. An Act to revive an Act of Assembly of this Province, Entituled,
An Act for the better Relief of Poor Debtors.

An Act Be it Enacted by the Right Honourable the Lord Proprietary, by
 revived. and with the Advice and Consent of his Lordship's Governor, and

the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act Entituled, *An Act for the better Relief of poor Debtors*, made at a Session of Assembly begun and held at the City of *Annapolis*, the Tenth Day of *October*, *Anno Domini* Seventeen Hundred and Twenty-two, be, and is hereby revived and continued to be, and remain in full Force, for and during the Term of Three Years from the End of this Session of Assembly, and to the End of the next Session of Assembly that shall happen after the End of the said Three Years.

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Provided, That this Act, or the Act hereby intended to be revived and continued, shall not extend, or be construed to extend, to exempt any Person or Persons whatsoever from the Payment of his Lordship's Quit-Rents, Alienation Fines, or other Dues and Duties payable to his Lordship the Lord Proprietary, or his Governor for the Time being, for his or their sole Benefit, in any Specie or Manner to which such Person or Persons would have been liable if this Act had never been made.

P. II

An Act to prevent the ill Practices of Sheriffs, in the Collecting and Payment of the Public and County Levies. Chap. VII.

Whereas, by an Act Entituled, *An Act for emitting and making Current Ninety Thousand Pounds, Current Money of Maryland, in Bills of Credit*, it is amongst other Things Enacted, That the said Bills of Credit should pass in Payment, Satisfaction, and Discharge of all Contracts, after Publication thereof, within this Province, for Current Money; and that all or any of the Inhabitants of this Province might, and by the same Act were enabled to discharge all Levies, (the Forty *per Poll*, and all Tobacco directed by any Act of Assembly of this Province to be levied, and applied to the building and repairing of any Church or Churches, therein excepted) in the said Bills of Credit, or Gold or Silver; and that all Bounties, Rewards, and Allowances, given and allowed by any Act of Assembly of this Province, and also all Fines, Forfeitures and Penalties, settled and established in Tobacco by any Law of this Province, should and might be paid, satisfied, and discharged in the said Bills of Credit, or Gold and Silver, rating Tobacco at Ten Shillings *per Hundred*, and in Proportion for a lesser Quantity; with Proviso, that no Person should be obliged to pay the said Bills of Credit, Gold or Silver, in lieu of Tobacco; but that every such Person should be at Liberty to pay Tobacco for the said Levies and Penalties, as if the said Act had never been made; but that every Person who should not tender or pay such Bills of Credit, or Gold or Silver, by the Tenth Day of *April* yearly, during the Continuance of that Act, should be obliged to pay all Levies in Tobacco, as if that Act had never been made.

Preamble.
[Further continued by 1746 Ch. 5, 1750 Ch. 2, and 1753 Ch. 5, until the expiration on Sept. 29, 1764, of the paper money Act of 1733. Virtually continued to Oct. 2, 1771, by the inspection law of 1763 Ch. 18, Sec 28.]

And Whereas, several of the People of this Province, liable to pay the Public and County Levies, have also Allowances made to them in the Public or County Levies, by Laws now in Being, for certain

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Laws

Services to the Country, and most justly conclude that the several Sheriffs should and ought to discount with them for so much Tobacco as they are allowed in their Hands, or so much as will discharge that Part of their Levy as is by the said Act to be paid in Money, at the Rate of Ten Shillings *per* Hundred, be it before or after the Tenth Day of *April* yearly; yet so it is, that the said Sheriffs, or some of them, have insisted to pay, and have paid to the said Inhabitants, their whole Allowances aforesaid in Money, at the Rate of Ten Shillings *per* Hundred, and at the same Time demanded from, and obliged the People to pay either the whole of the Tobacco they stand charged with for Public or County Levies, or such high and exorbitant Prices for such Tobacco, as they were pleased to put thereon: For the Remedy of which Evil,

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the

p. 12

Levies
payable
either in
Money or
Tobacco,
may be paid
in Money,
after the
Rate of 10s.
per 100.

same, That from and after the End of this present Session of Assembly, when and as often as any of the Inhabitants aforesaid shall have any Allowance or Allowances in the Public or County Levies, for any Sum or Sums of Current Money or Tobacco, which may be paid and discharged in Money at the Rate aforesaid, and such Inhabitants at the same Time are charged or chargeable with any Sum or Sums of Tobacco, in such Levies, which by the afore-recited Act may be payable in Money, before or by the Tenth Day of *April* yearly, the several and respective Sheriffs within this Province shall, and are hereby obliged and required to make and give unto such Inhabitants, and every of them, a Discount or Allowance for such Tobacco, so far forth as their respective Allowance or Allowances aforesaid, in the Public or County Levies, shall come to, either before or after the Tenth Day of *April* yearly; the before-recited Act, or any other Law, Usage, or Custom, to the contrary notwithstanding.

And for as much as the Public and County Levies (except before excepted) are now payable in Tobacco or Money, at the Rate of Ten Shillings *per* Hundred, at the Election of the people who are to pay the same: *To the End therefore*, That the Public and County Creditors, or such Persons who have Allowances made to them in such Public or County Levies, may be informed how much thereof hath been paid in Tobacco, and how much in Money, and thereby know what Proportion or Share of such their respective Allowances, they are or ought to receive in Tobacco, and what Proportion in Money,

Be it Enacted, by and with the Authority, Advice, and Consent aforesaid, That the several Sheriffs within this Province shall, and

Alph-
abetical Lists
to be set
up, of all the
Taxables
in each
County.

are hereby obliged and required, on the First Day of *June* Court, yearly hereafter, during the Continuance of this Act, to make out Two fair Alphabetical Lists, of the Names and Surnames of the several Persons within their respective Counties, who are charged or chargeable with any Public or County Levies or Taxes, and shall

set down in different Columns to each Name, in such List, the Sum of Tobacco with which every such Person is charged, for such Public and County Levies, and the Sum of Money, if any which such Person had paid to such Sheriff, in Discharge of that Tobacco, on or by the Tenth Day of *April*, then next preceding the Court aforesaid, one of which Lists such Sheriff shall deliver to the Justices of the same Court, and shall before them make Oath, to the best of his Knowledge, to the Truth thereof; and the other shall by such Sheriff be set up at the Court-House Door, of the same County, or other public Place of such Court-House, for the Inspection of all Persons concerned.

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Laws

And that the said Sheriffs, and every of them, shall, and are hereby obliged to allow, pay, and discount unto every particular Public or County Creditor, within his County, such a Sum of Money, in Discharge of his or her Public or County Allowance, as shall bear the like Proportion to the whole of such Allowance, as the whole Sum of Money so paid to such Sheriff, by or before the Tenth Day of *April*, then next preceding, bears to the whole of the Public and County Charge, in that County payable in Money doth amount unto.

Allowances
to be made
to such as
have paid
Tobacco.

And Whereas, it hath been the Practice of some Sheriffs, when the Tenth of *April*, or the Time limited for their receiving Money in Discharge of the Public and County Levies drew nigh, to absent themselves from their Dwelling-Houses or Places of Abode, whereby many People were prevented from having the Benefit of the said Act; for Remedy whereof,

p. 13

Be it Enacted by the Authority, Advice, and Consent aforesaid, That the Sheriff of every County, his Deputies, or Under Sheriffs, on, or before the First Day of *March* yearly, during the Continuance of this Act, shall, and are hereby required and obliged to make and set up public Notes or Advertisements at the several Church-Doors, Mill-Doors, and other public Places of the several and respective Districts, in the several Counties appointed for such Deputies or Under Sheriffs to act in, and thereby give Notice that the High-Sheriff or Under Sheriff shall give constant Attendance at the Court-House on a certain Day, to be in the said Notice mentioned, in every Week, except the Week wherein the *March* Court for that County is held, from the Hour of Nine of the Clock in the Morning to Five in the Afternoon, from the said First Day of *March*, to the Tenth Day of *April* aforesaid inclusive, and for Two Days (except Sunday) next before the Tenth Day of *April* aforesaid, then and there to receive from the Inhabitants of such respective Districts their several and respective Quota's or Sums of Money, by them due and payable for their Public or County Levies, or such Parts or Shares thereof as they shall think fit to pay.

Sheriffs
publicly to
advertise
their Days
of Attendance
for receiving
the Public
and County
Levies.

And be it further Enacted, That if any of the Inhabitants of such respective Districts, shall at any Time, on or before the Tenth Day of *April* yearly, tender, or offer to pay their respective Quota's, or

Persons
tendering
their Levies
before the
appointed
Time, may,
on Non-
Acceptance,
afterwards
have their
Choice of
paying it
in Tobacco
or Money.

Session Laws Sums of Money, or any Part thereof, due for their respective Public or County Levies, to the High Sheriff of the County, or to any of his Deputies or Under Sheriffs, at the Dwelling-House of such High Sheriff, or at the Court-House, in the Week wherein *March Court* is held for that County, or to the Deputy or Under Sheriff, at the Place and Time so as aforesaid, appointed to receive the same, so as such Tender be made in the Presence of one or more credible Witness or Witnesses, and such Sheriff, Deputy, or Under Sheriff, shall refuse or neglect to receive the same, so tendered or offered as aforesaid to be paid, then, and in every such Case, such Person or Persons so tendering or offering, shall not at any Time afterwards be obliged to pay Tobacco for such Public or County Levy, or for so much thereof as he or she had tendered Money for as aforesaid, but shall for ever afterwards be at Liberty, and have his or her Election to pay the same in Tobacco, or Money, as he or she shall think fit.

This Act to be, and continue in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly,
p. 14 which shall happen after the End of the said Three Years.

Chap. VIII. An Act for the Tryal of all Matters of Fact, in the several Counties where they have arisen, or shall arise.

Preamble, [The
Proprietary
dissented.] Whereas, the Tryal of Facts in the Neighbourhood where they arise, is the greatest Security of the Lives, Liberties, Fortunes, and Estates of the Subjects, most agreeable to the *British Constitution*, and a very great Ease to all Persons concerned; and that the Increase of Business in the Provincial Court, renders the Decision of Causes there, without very great Delay and Expence, impracticable.

Two Provincial Justices, on each Side of the Bay, to hear and determine all Matters of Fact, &c. in the several Counties. *Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That Two Justices of the Provincial Court, on each Side of the Bay (such as the Governor or Commander in Chief, for the Time being, shall think fit to appoint) shall be Justices of Assize, *Nisi prius*, and Justices of *Oyer and Terminer* and Goal Delivery; and that the said Two Justices, or either of them (in case of Sickness or other Inability), shall and may, at the respective Times in this Act mentioned, hear and try all Matters of Fact, in all Actions real, personal, and mixt, and all Actions popular, for the Breach of any Law, that is now depending, or that shall be commenced in the Provincial Court, in the several Counties where the Facts have arisen or shall arise, and not elsewhere; except in any special Cases, where it shall appear that Justice cannot in all Probability be so equally administred to the Parties as if Tryal should be appointed in some other Place, as fully and amply as any Justices of Assizes and *Nisi prius* in *England* used, or by Law ought, or may try, hear, and determine; and that all Treasons, Murthers, Felonies, and other Crimes, Offences, and Misdemeanours, of what Nature or

Quality soever, that have been, or by Law might be tried in the Provincial Court, shall be heard, tried, and determined by the said Justices in the several Counties where they shall be committed, and not elsewhere, as fully and amply as the said Offences, or any of them, might have been tried, heard, and determined by the Provincial Court, or any Court of *Oyer and Terminer*, and Goal-Delivery, according to the Laws of *England* and this Province. *Provided always*, That nothing in this Act shall be construed to divest the County-Courts of any Jurisdiction they have, and that they may hear and determine all Matters and Things within their Cognizances, as they have heretofore done; any Thing in this Act to the contrary notwithstanding.

And be it Enacted, That Two of the Provincial Justices to be appointed as aforesaid, on the Western Shore, or One of them, in case of the other's Sickness or Inability, shall meet and hold their Courts, at *Baltimore* County Court-House, the Monday before the first Tuesday in *April* and *September* Yearly; at *Annapolis*, for *Anne-Arundel* County, the Fridays after the said first Tuesdays; at *Calvert* County Court-House, the Friday after the second Tuesdays of the said Months; at *St. Mary's* County Court-House, the Wednesdays after the third Tuesdays in the said Months; at *Charles* County Court-House, the Mondays after the said third Tuesdays in the said Months; and at *Prince George's* County Court-House, the Mondays following. And that Two of the Provincial Justices on the Eastern Shore, to be appointed as aforesaid, or One of them, in case the other should be sick, or incapable to attend, shall meet and hold their Courts, at *Somerset* County Court-House, the first Tuesdays of said Months Yearly; at *Dorchester* County Court-House, the first Mondays after; at *Talbot* County Court-House, the Thursdays after the second Tuesdays; at *Queen Anne's* County Court-House, the Wednesdays after the third Tuesdays; at *Kent* County Court-House, the Mondays after the third Tuesdays in the same Months; and at *Cecil* County Court-House, the Fridays following; to hear, determine, and dispatch such Business as shall be before them.

And be it Enacted, That in all Actions now depending in the Provincial Court, where the general Issue, or other general Plea, tending to an Issue on the Country, is pleaded, the Issues shall be made up and compleated by the Twentieth Day of *February* next; and that all Declarations in Actions to be commenced in the Provincial Court, shall be filed with the Clerk, within Thirty Days after every Appearance Court, and the Issue made up where the general Issue, or other general Plea, tending to an Issue on the Country shall be pleaded, shall be made up within Thirty Days after the Filing the Declaration; but where special Pleadings are necessary, the Court, upon Motion, may grant such Time as may be thought reasonable; and that the Plaintiff, in every Cause to be tried before the said Justices, shall give the Defendant or his Attorney Notice, Fourteen

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Times
and Places,
when and
where the
Assizes are
to be held.

P. 15

Declarations
to be filed
in Thirty
Days after
Appearance
in Court.

Session Days before the first Tuesdays in *April* and *September* Yearly, of
 Laws his Intention to insist on a Tryal, and that if after such Notice given, the Causes shall be delayed until another Assizes, the Party causing such Delay, shall pay all the Cost and Charge that shall be occasioned thereby.

Grand and Petit Juries to be summoned Ten Days before the Assizes begin. *And be it Enacted*, That the several Sheriffs shall summons Fifty of the most capable and substantial Freeholders within their Bailiwicks, ten Days before the Assizes shall begin in the respective Counties, as Grand and Petit Jurors; and that every Freeholder that shall be so summoned, and shall neglect or refuse to appear, shall incur the same Penalties and Forfeitures, as Jurors summoned to the Provincial Court are liable to, rating Tobacco at Ten Shillings *per* Hundred; and that no Person that is not incapable or disqualified by Law to serve as a Juror, shall have any Exemption, except Counsellors, Delegates, Provincial Justices, Clergymen, and practising Physicians or Chyrurgeons; nor shall Grand Jurors be exempt from serving as Petit Jurors in Civil Cases, at the same Assizes of *Oyer and Terminer*, and Goal Delivery, they are returned to serve in; and that every Grand Jury shall have an Allowance not exceeding Five Hundred Pounds of Tobacco for every Assize, and every Petit Juror p. 16 Twenty Pounds of Tobacco, for every Day's Attendance, to be assessed in the County Levy as usual, besides the lawful Fees for Verdicts in civil Cases; and to prevent Partiality by Grand Jurors,

Manner of chusing the Grand and Petit Jurors. *Be it Enacted*, That the Name of every Person summoned as a Juror, shall be written in several distinct Pieces of Paper, being as near as may be of equal Size and Bigness, and shall be delivered to the Clerk of Assize, or such other Person as the said Justices shall appoint; and by the care of the Clerk, or such Person as shall be appointed as aforesaid, all rolled up as near as may be in the same Manner, and put into a Glass or Box to be provided for that Purpose, and that the said Justices, in open Court, shall direct to be drawn by some indifferent Person out of the said Glass or Box, a sufficient Number for a Grand Jury, and that such Persons as shall be drawn, and then appear, shall be Grand Jury-men, and none others. *Provided*, That in case any the County Magistrates, or their Clerk, should be drawn, they shall not be of the Grand Jury, but that others shall be drawn in the Place of any Magistrate that should happen to be drawn. And to prevent Partiality in Tryals by Jurors,

Be it Enacted, That the Name of each and every Person, who shall be summoned and impannelled as a Petit Juror, shall be written in several distinct Pieces of Paper, being as near as may be of equal Size and Bigness, and shall be delivered to the Clerk of Assize, or such other Person as the said Justices shall appoint, and by the Care of the Clerk, or such Person as shall be appointed as aforesaid, be all rolled up as near as may be in the same Manner, and put into a Glass or Box to be provided for that Purpose; and when any Cause shall be brought to be tried, some indifferent Person, by Direction

of the Court, may and shall, in open Court, draw out Twelve of the said Papers one after another, and if any of the Persons whose Names shall be so drawn, shall not appear, or be challenged and set aside, then such further Number, until the Twelve Persons shall be drawn, who shall appear, and after all Causes of Challenge shall be allowed, as fair and indifferent, and the said Twelve Persons so first drawn, and appearing, and approved as indifferent, their Names being marked in the Pannel, and they being sworn, shall be the Jury to try the same Cause; and the Names of the Persons so named, and drawn, and sworn, shall be kept in some other Box or Glass to be kept for that Purpose, till such Jury shall have given in their Verdict, and the same is recorded, or until such Jury shall by Consent of Parties, or Leave of the Court, be discharged; and then their Names shall be rolled up again, and returned to their former Box or Glass, there to be kept with the other Names remaining at that Time undrawn, and so as often, and as long as any Cause shall remain then to be tried. *Provided always*, That if any Cause shall be brought to Tryal, before the Jury in any other Cause shall have brought in their Verdict, or be discharged, it shall and may be lawful for the Court to order Twelve of the Residue of the said Papers, not containing the Names of any of the Jurors who shall not have brought in their Verdict, or be discharged, to be drawn in such Manner as is afore-said, for the Tryal of the Cause, which shall be so brought on to be tried: And to the End that the Sheriffs may be obliged to discharge their Duty in returning the best and most capable Freeholders to be Jurymen,

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Be it Enacted, That every Sheriff who shall neglect to return the best and most capable Freeholders, for Grand and Petit Jurymen, except as before excepted, shall for every such Neglect be fined by the Justices of Assize at their Discretion, not exceeding Twenty-five Pounds Current Money of *Maryland*, to be applied to defray the County Charge.

Sheriffs to
be fined for
neglecting
to return
proper
Persons to
Jurors.

And be it Enacted, That each Justice of Assize shall be allowed by the Public Seven Thousand Pounds of Tobacco, to be paid in the Counties respectively where they reside, for every Circuit, and no more.

And be it Enacted, That it shall and may be lawful for the said Justices to make all such Rules and Orders, as may be convenient and necessary for the Furtherance of Justice and Right, and to impose reasonable Fines, Forfeitures, and Penalties, upon such as shall transgress them. *Provided always*, That such Rules and Orders shall be agreeable to the Laws of *England* and this Province; and that all Sheriffs, Bailiffs, and other Officers, and Persons whatsoever, shall yield due Obedience to all Process, Warrants, and Precepts, that shall be issued by or returnable to the said Justices.

Justices
empowered
to make
Rules and
Orders.

Be it further Enacted by the Authority, Advice, and Consent afore-said, That the said Justices shall in all criminal Cases to be tried

Bills of
Exception
allowable.

Session before them, where any Person or Persons accused or prosecuted
Laws shall desire the same, sign and allow Bills of Exception; and that in
all Cases where Bills of Exception are allowed, that no Judgment
shall be rendered until the next Provincial Court, to the Consideration
of which Court it is to be referred; any Law, Usage, or Custom, to
the contrary notwithstanding.

Where the *And be it likewise Enacted*, That where any general Verdict shall
Justices are doubtful, Judgment Justices, wherein the Judgment is not certainly known and settled
to be by Law, or wherein the said Justices, or either of them, shall be in
referr'd to the any Doubt, or under any Difficulty, what Judgment to give upon
Provincial Court. such Verdict, that then and in such Case no Judgment shall be given,
but that the Judgment be referred to be given on such Verdict to
the Consideration of the Provincial Court, who shall and may give
Judgment, unless the Party or Parties accused or prosecuted, prays
Judgment may be given immediately; that then and in such Case,
the Judge or Judges of Assize shall and may proceed to Judgment
therein; any Law, Usage, or Custom to the contrary notwithstanding.

Matters de- *And to the End that the Justices of Assize, Nisi prius, Oyer and*
terminable *Terminer*, and Goal-Delivery, may not be hindered from proceeding
in the Decision of Matters not determinable elsewhere (which the
County Time allowed by Law for their Session is hardly sufficient to dis-
Courts, to patch), in hearing petty Offences, triable in the County-Courts;
be tried in
the County
Courts.

Be it Enacted, That all Felonies, Trespasses, and other evil Deeds,
triable in the County-Courts by the Laws now in being, shall be
tried, heard, and determined, by the County-Courts, and not else-
where; except Riots and other Offences to be committed in the View
p. 18 of the Justices of *Oyer and Terminer*, or during their Sitting. *Pro-*
vided always, and be it Enacted by the Authority aforesaid, That it
shall and may be lawful for the Justices of the Provincial Court, for
the expediting the Causes to be tried before them, to order the

Sheriff of Sheriff of *Anne-Arundel* County, immediately to summon a com-
petent and sufficient Number of good and lawful Men *de Circum-*
County to *stantibus*, and not less than Twenty-four in Number, to serve as
return 24 Jurors, and return a Pannel of them, for the Trial of any Issue so to
Persons, be had and tried before the said Justices of the Provincial Court,
out of and that they shall be ballotted in the same Manner that Petit Jurors
to be im- are before by this Act directed to be at the Assizes; and that the first
panelled a Jury. Twelve Jurors that shall be drawn, shall be the Jury to try the Cause,
unless some legal Exception, by either Plaintiff or Defendant, be
made against any of the said Twelve Jurors; in which Case, others
in their Room shall be in like Manner drawn, in the Stead of those
to whom legal Exception shall be made. *Provided*, That where any
Presentment shall be found by the Grand Jury, at any Court of
Oyer and Terminer, for a Matter triable by the County Court, and
that shall by the Justices of *Oyer and Terminer*, be referred to the
County-Courts for Tryal, the Party presented shall not be obliged to

pay any Fees or Charges, except what shall arise in the Prosecution in the County-Court; any Law, Usage, or Custom, to the contrary notwithstanding: Saving to all Persons accused before the Justices of the County-Courts, the Benefit of Writs of Removal, and Tryals in the Provincial Courts, or before the Justices of *Oyer and Terminer*, and Goal-Delivery.

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And whereas by *An Act for the Advancement of Justice*, it is Provided and Enacted, That in all Actions to be commenced in the Provincial Court, for the Recovery of any certain Sum of Money or Tobacco, within the Jurisdiction of that Court wherein the Plaintiff should be desirous of a speedy Tryal, that if the Plaintiff should send a Copy of the Declaration in the Case, with the Writ and Cause, the same to be served on, or delivered to the Defendant, or left at his or her last Place of Abode, Twenty Days at the least before the Appearance Court, it should be lawful for the Justices of the said Court, and they are by that Act required to proceed to Tryal the same Court; and if the Defendant should refuse or neglect to answer, or plead to render Judgment for the Plaintiff, with Cost of Suit, unless sufficient Cause should be shewn by the Defendant why there should be an Impar lance; and that as Jurors are not summoned to the Provincial Courts, but the Facts tried in the several Counties where they arise, so that when the Defendant pleads, and of Fact triable by a Jury, the Issue cannot be tried at the Appearance Court:

Be it therefore Enacted and Declared, That where Copies of Declarations are served, or left according to the Directions of the said Act, and no sufficient Cause shewn for an Impar lance, and that the Defendant should plead a Matter of Fact which is required to be done at the Appearance Court, that then and in such Case, the Fact shall be tried at the first Assizes that shall happen after the Appearance Court in the County where the Fact hath arisen or shall arise; any Law, Usage, or Custom, to the contrary notwithstanding.

Where the Cause is to be tried when no Occasion appears for an Impar lance.
p. 19

And Whereas, Justice may be delayed, or People lose their Rights for want of the Testimony of Witnesses, who may happen to be so sick or impotent, as to be unable personally to attend at the Tryal of Causes, to give their Evidence, *viva voce*, without apparent Hazard of their Lives or Healths.

Be it therefore Enacted, by the Authority, Advice, and Consent, aforesaid, That where any Witness shall be summoned by any Plaintiff or Defendant, and shall be really so impotent, sick, or infirm, that he or she shall not be able to attend, according to such Summons, without the apparent Hazard of the Life or Health of such Witness (to be made appear to the Satisfaction of the Court), that then and in every such Case, the Party summoning such Witness may have the Affidavit on Oath, or Affirmation if the Witness be a Quaker, of such sick or impotent Witness, taken before any Magistrate not being of kin to the Parties, and that any Affidavit so taken, the adverse Party always having timely Notice and Opportunity to cross

Affidavit of Witnesses unable to attend the Assizes, as valid as if the Deposition of such Witness was personally given in Court.

Session Laws examine such Witness, shall be received as Evidence on the Tryal of the Cause wherein such Witness shall be summoned, as if the Witness was present, and should deliver his or their Testimony *viva voce*; any Law, Usage, or Custom, to the contrary notwithstanding. *Provided always*, That if any such Witness shall wilfully and corruptly swear or affirm falsely, that then, and in every such Case, he or she shall be liable to the same Prosecution, Penalty, and Forfeiture, as Persons guilty of, or committing corrupt and wilful Perjury are liable to.

Time of Provincial Courts. *And be it further Enacted*, That the Provincial Court shall be held, during the Continuance of this Act, on the Third Tuesdays in *October* and *May*, Yearly, at the City of *Annapolis*.

Part of an Act repealed. *And be it Enacted by the Authority, Advice, and Consent, aforesaid*, That that Part of an Act of Assembly Entituled, *An Act causing Grand and Petit Jurors to come to the Provincial and County Courts, and ascertaining their Allowances*, made at a Session of Assembly begun and held at the City of *Annapolis*, the Twenty-sixth Day of *April, Anno Domini*, Seventeen Hundred and Fifteen, which relates to summoning Grand and Petit Jurors to attend at the Provincial Courts, be, and is hereby repealed and made void.

Duty of the Secretary in Regard to Records. *And be it further Enacted by the Authority, Advice, and Consent aforesaid*, That the Secretary for the Time being shall cause every Record that shall be ordered by any Attorney of the Provincial Court, to be made out for any Tryal of any Issues at the Assizes, to be transmitted to the Clerk of Assize of the Circuit where the Issue is to be tried, (who is by this Act obliged to receive and carry the same to the Circuit) before the Assizes for that Shore, where the Issue is to be tried, begins, under the Penalty of paying unto the Party that suffers, for Want of the Record being transmitted, such Costs and Damages as shall be by the Justices of his Lordship's Provincial Court, judicially sitting, ordered and adjudged; which said p. 20 Justices are hereby, upon Complaint made to them, required after a summary manner, to proceed to Judgment thereon.

Proviso. *Provided always*, That the Secretary shall not be obliged to answer any Damages or Cost, to any Person by virtue of this Act, unless Orders in Writing for transmitting the Record as aforesaid, be left with the Clerk of the Provincial Court, at least Thirty Days before the Beginning of the Assizes on the Shore where the Issue is to be Tried.

Allowance to Judges, &c. may be paid in Money. *Provided also*, That the Records being lodged with the Clerk of Assize, after the manner aforesaid, shall not impower the Judges to compel a Tryal against the Will of the Plaintiff, unless where the Record is taken out at the Request of the Defendant in order for Tryal by Proviso.

Provided always, That the several Allowances herein before mentioned to be made, to the Judges and Jurors, in Tobacco, shall and

may be paid by the Inhabitants of this Province in Current Money, at the rate of Ten Shillings *per* Hundred, in the same manner as other Public and County Levies and Charges are payable. Session Laws

This Act to continue for Three Years, and unto the End of the next Session of Assembly, that shall happen after the End of the said Three Years.

An Act enabling the Justices of *Cæcil* County, to Levy on the Taxable Inhabitants of *St. Mary Anne's* Parish in the County aforesaid, the Sum of Eight Hundred Pounds. Chapter IX.

Whereas the Rector, Vestry-men, Church-wardens, and several other the Inhabitants of said Parish, have, by their humble Petition to this General Assembly, set forth, That the Church of said Parish, being Built of Wood, is much decayed and dangerous to be in, and that for several Years past has been very expensive to the Parishioners, and therefore humbly prayed Leave to bring in a Bill Enabling and Directing the Justices of said County to Levy on the Taxable Inhabitants of the said Parish, any Sum of Money not exceeding Eight Hundred Pounds Current Money of *Maryland*, in such manner as should be thought most convenient for Erecting, Building, and Finishing a new Brick Church in the said Parish, in the same Place where the old one now stands. Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of said County for the Time being, do and shall Levy on the Taxable Inhabitants of said Parish, the Sum of Eight Hundred Pounds Current Money of *Maryland*, in manner following, that is to say, In *November* Court Seventeen Hundred and Forty-two, the Sum of Two Hundred Sixty-six Pounds Thirteen Shillings and Four Pence; in *November* Court Seventeen Hundred and Forty-three the like Sum, and in *November* Court Seventeen Hundred and Forty-four the like Sum, in the whole amounting to the Sum of Eight Hundred Pounds, over and above the Sheriff's Salary for Collection, to be applied by the Vestry and Church-wardens, or the major Part of them, of the said Parish, for the Time being, to the Building and Finishing a Brick Church in the Parish aforesaid, at the Place aforesaid. 800*l.* to be levied in *St. Mary Anne* Parish for Building a new Church.

And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the said annual Sums of Money shall be Levied and Collected by way of Execution, in the same manner that other Public and County Levies and Assessments are Collected and Levied, and that the Sheriff of said County for the Time being, who shall be intrusted with the said Collection or Collections, shall be obliged to pay the Sum he shall be intrusted with for Collection, to the Vestry and Church-wardens of the said How the said annual Sums are to be levied.

Session Laws Parish, or the major Part of them, for the Time being, at the usual Time of paying other Collections yearly, to be applied as aforesaid.

Five per Cent. allowed the Sheriff for Collecting. *And be it further Enacted by the Authority aforesaid, That the Sheriff for his Collection and Payment as aforesaid, shall be allowed at the rate of Five Pounds in the Hundred for what he shall so Collect, and no more, to be Levied as aforesaid, over and above the said Sums for the Building and Finishing the Church aforesaid.*

Chapter X. [Amends 1716 Ch. I.] A supplementary Act to the Act entituled, *An Act for Repairing the Damages already sustained in the Records of the Land, Secretary's, Commissary's, and County Court Offices, and for Security of the same Records for the future.*

Preamble. Whereas the Inhabitants of this Province have been at great Expence and Charge in Repairing, Amending and Compleating the Records of the Land, Secretary's, Chancery, Commissary's, and County Court, Offices, and that on the well and safe Keeping of which Records, and such as hereafter shall be entred and made, greatly depend the Fortunes, Interest and Estates of the People of this Province. And whereas it is not only necessary and requisite that the Books for Entring and Recording in, should be good and well bound, but that likewise true and legal Entries and Records be entred and made by the several and respective Officers and Clerks holding the said Offices, their Servants, Clerks or Under-Writers. And whereas so great a Part of the Estates and Interest of the good People of *Maryland*, depend on the faithful and due Execution of the Trust committed and to be committed to the respective Officers and Clerks in the said several and respective Offices, and that it does not appear to this General Assembly, that the Penalty in the Bonds to be given by the several and respective Officers and Clerks by direction of the said *Act for Repairing the Damages already sustained in the Records of the Land, Secretary's, Commissary's, and County Court, Offices, and for security of the same Records for the future*, is equal to the Trust reposed in them, or the great Share and Interest which the People or Right have in the same Records, nor that the said Bond is for the due Execution of the Offices of the said respective Officers and Clerks in relation to the making true, lawful and faithful Entries and Records according to the Intention of the same Act, as appears, and on which depends intirely the Usefulness of the same Records.

Secretary, &c. to give Security for the due Performance of their Office. *Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the last Day of March, which shall be in the Year of our Lord One Thousand Seven Hundred and Forty-three, it shall not be lawful for the Secretary, Register in Chancery, Commissary, Register of the Land-Office, or other*

Person who shall be appointed to Receive the Fees of the same Land-Office, or the several and respective County Clerks within this Province, their Deputies, Officers, or Under-Clerks, who shall have the Keeping of the said Secretary's, Chancery, Commissary's, Land, or County Court, Offices, committed to them, to take upon themselves the Keeping any of the said Records, or to receive or apply to their use any of the Fees, Profits or Benefits arising or to arise from their said several and respective Offices, until such Secretary, Register in Chancery, Commissary-General, Register in the Land-Office, or the Person or Persons to whom the Care and Keeping of the said Land-Office is or shall be committed, by what Denomination soever he or they may or shall be called, and the said several and respective County Clerks within this Province, or such County Clerks as shall hereafter be appointed, whether for any Counties now being, or which shall hereafter be laid out, appointed, or nominated, have entred into Bond, with two good able and sufficient Sureties, being Persons of visible and landed Estates within this Province, in the Name of the Lord Proprietary, that is to say, the Secretary for the Provincial Office in the Sum of Three Thousand Pounds Current Money, the same Secretary, Register in Chancery, or whoever receives the Profit and Benefit of the Fees accruing in the Chancery Office, in the Sum of One Thousand Pounds Current Money; the Commissary-General for the Commissary's Office in the Sum of Three Thousand Pounds Current Money; the Register of the Land-Office, or by whatever other Denomination the Person or Persons is, are, or shall be called, to whom the said Office and Perquisites is, are or shall be committed, in the Sum of Three Thousand Pounds Current Money; and the several and respective County Clerks within this Province, now being, or who shall hereafter be nominated or appointed respectively, whether of Counties now laid out or appointed, or of Counties which hereafter shall be laid out and appointed, in the Sum of One Thousand Pounds Current Money: All which Bonds respectively shall be Conditioned as follows,

The Condition of the above Obligation is such, That if the above bounden *whilst he shall continue in the Office of* *shall* *Condition of the Bond.*
at his own proper Cost and Charge, find a supply of good and sufficient Record Books, necessary for the Entering up of all Matters and Things relating to such *Office, and shall and will make, or Cause to be made and entred, true, legal, and perfect Records and* *p. 23*
Entries, according to the truth and nature of the Matter or Thing requiring to be Entred or Recorded, and shall duly and carefully look after, sustain, preserve, repair and maintain all the several Books, Papers and Records, now being and remaining in the said Office, as also all those that from Time to Time, during his continuance in the said Office, shall be added thereunto, in such manner as that in case of Death, or that he shall be legally dismissed from officiating longer in the said Office, he the said *his Executors or Admin-*

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istrators shall surrender and deliver up, or cause to be surrendered and delivered up, to the next Person who shall succeed him in the said Office, all the Papers and Record Books now being in the said Office, in good Order and Repair, as also all such other Papers and Record Books which shall be by him added in like good Order and Repair, with the Records and Entries faithfully, legally and truly made up and entred during the Time he hath officiated in the said Office, without Favour or Affection, but according to the Truth, the nature of the Thing, and the Duty of his Office, and all other the Duties of his said Office legally, duly, and faithfully shall Discharge, according to Law, and the true Intent and Meaning of the Act of Assembly in such cases made and provided, that then the above Obligation to be void and of none effect, or else to be and remain in full Force and Virtue in Law.

How the
said Bonds
are to be
passed,
proved, &c.

And be it further Enacted by the Authority aforesaid, That the said Bonds shall be Passed, Proved, Recorded and Sued in the same Manner and Form as directed by the afore-mentioned recited Act for Repairing the Damages already sustained in the Records of the Land, Secretary's, Commissary's, and County Court, Offices, and for Security of the same Records for the future, and likewise that Copies of such Bonds, attested under the Hand and Seal of the Office of either the Clerk of the Provincial or County Courts, shall be good Evidence in Law to maintain any Action of Debt to be brought for any Breach or Breaches of the Condition aforesaid, according to the direction of the said Act, and that likewise the Sureties be subject to the Proviso in the said Act.

The Bonds
and Sure-
ties of the
County
Clerks to be
renewed, if
the Justices
see Cause.

Be it further Enacted by the Authority aforesaid, That as often as the several and respective Justices of the several and respective County Courts within this Province shall see cause, they shall oblige the several and respective Clerks of the Counties aforesaid, to renew such Bonds with other Sureties, where they Disapprove the Ability or Sufficiency of such Sureties from Time to Time as the nature of the case may require, and the said Clerks respectively are hereby obliged in such case to renew such Security, to the Approbation of the respective Justices aforesaid.

Proviso. *Provided also, That where the Public or County shall Sue the aforesaid Bond, that neither shall be burthened with Costs.*

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That as often as the Provincial Justices for the Time being shall see cause, they shall and may oblige the Secretary, Commissary-General, Register in Chancery, Register in the Land-Office, or whoever shall receive the Fees and Perquisites of the said Offices respectively, to renew such Bond or Bonds with other Surety or Sureties, where they Disapprove the Ability or Sufficiency of such Securities from Time to Time as the nature of the case shall require, and the said Secretary, Commissary-General, Register in Chancery, Register in the Land-Office, or whosoever shall have and receive the

p. 24
Provincial
Justices may
require new
Sureties of
the Secre-
tary, &c.

Fees and Perquisites of the same Offices, are and shall be hereby Session
obliged to renew such Security when required as aforesaid. Laws

Provided always, and be it likewise Enacted and Declared by and with the Authority, Advice, and Consent aforesaid, That when and as often as any of the Bond or Bonds to be given by virtue of this Act, shall be Sued, and Judgment on them or any of them rendered, that the Penalties in such Bond or Bonds, or any Part thereof, shall Penalties
not be applied to any other Use than the making good the Damage how ap-
which may be suffered by the Public, Counties, or private Person or applied.
Persons, according to the true Intent and Meaning of this and the former Act in that case made and Provided.

An Act for laying out the Town a-new commonly called *Snowhill-Town*, in *Somerset* County. Chapter XI.

Whereas there was formerly laid out in *Somerset* County on Preamble.
Pocomoke River, a Town, commonly called *Snow-hill-Town*, containing One Hundred Acres of Land, the Bounds whereof are very uncertain, and the Improvements very much hindered by reason that all the Lots were not taken up and improved in Time. And whereas it is represented to this General Assembly, that the said Town is very commodious for Trade, and several People desirous to settle in the same could they be well secured in their Lots.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Mr. *Isaac Morris*, Capt. *William Lane*, Mr. *Thomas Hayward*, Capt. *John Scott*, Mr. *Alexander Buncle*, Mr. *Isaac Marshall*, and Mr. *William Selby*, or the major Part of them, be, and are hereby appointed Commissioners, and are by virtue of this Act authorized and impowered, to Survey and Lay out the same Commissioners
named to
lay out
Snow-hill
Town
a-new.
One Hundred Acres, formerly laid out for a Town on *Pocomoke* River in *Somerset* County by the Name of *Snow-hill-Town*, as agreeable as conveniently may be to the original Survey thereof when first laid out for a Town.

And be it further Enacted, That the same Commissioners, or the major Part of them, be, and are hereby impowered and required, at any Time, by them the said Commissioners or the major Part of them, to be appointed before the Twentieth Day of *December* next ensuing this present Session of Assembly, to meet at the same Town, and call and take to their Assistance the Surveyor of *Somerset* County, or such other Person skilful in Surveying, as the said Commissioners, or the major Part of them, shall think fit to chuse, and then and there carefully Survey and Lay out the same One Hundred Acres into as many convenient Lots as were heretofore in the said Town laid out, marked and numbred 1, 2, and so to One Hundred, with the same Streets, Allies and Lanes as formerly laid out in the said Town. p. 25

Session Laws
Survey of the Town
to be made as near the
Original as possible.

And be it further Enacted, That the said Commissioners shall cause, and make the same Survey to be made, as near as possible they can, agreeable to the original Survey of the said Town, and shall set up Posts, Stakes, or such other Boundaries, as to them shall seem meet, to settle and distinguish the same Survey for ever; always having Regard as near as may be to the aforesaid original Survey thereof, and the Lots already improved and built upon as aforesaid.

Name of the Town.

And be it further Enacted, That the same Land so surveyed and laid out, and distinguished, shall be, and is hereby made and erected into a Town, and shall be called by the Name of *Snow-Hill-Town*.

Lots not built upon within Two Years, to return to the first Proprietor.

And be it further Enacted, That the Owners and Possessors of any of the Lots formerly taken up in the said Town, not already built upon, shall, and are hereby required to erect and build upon such Lot, or Lots, within Two Years after the Survey to be made as aforesaid, and a Record thereof made and entred according to the Directions of this Act, one House that shall cover Four Hundred square Feet of Ground, with one Brick Chimney at least, and if any such Owner or Owners of such Lots as aforesaid, neglect or refuse to build as aforesaid, then and in such Case, the Right, Title and Property of such Owner or Owners to such Lot or Lots, at the Expiration of the said Two Years, shall cease and determine, and the same Lot or Lots become the Right and Property of the Proprietor of the said Town-Land, in as full and ample Manner as if the same had never been Sold or Conveyed.

Proviso.

Provided, That the Owner or Owners of such Lot or Lots be not under Age, beyond the Seas, or out of this Province, at the Time of such Survey and Record, and Entry thereof as aforesaid, in either of which Cases, such Owner or Owners shall have the Liberty to improve and build on the said Lot or Lots as aforesaid, at any Time within Two Years after such Owner or Owners arriving to his or their Age of Twenty-one Years, or returning into this Province.

Town-Clerk.

And be it Enacted, That the said Commissioners, or the major Part of them, shall, and are hereby required and impowered to nominate and appoint some sufficient and skilful Person to be their Clerk, who shall make a fair Record and Entry of all the Proceedings of the said Commissioners, in a sufficient Book to be provided for that Purpose, to whom the Surveyor shall be obliged to deliver a fair Plat of the said Lots, to be surveyed as aforesaid, which Clerk, and his Successors, shall transmit to the Clerk of *Somerset* County the whole Proceedings of the said Commissioners, together with the said Plat, to be lodged amongst the County Records, which Proceedings the Clerk of the County is hereby required to take Charge of.

Surveyor's and Clerk's Fees.

And be it further Enacted, That the said Commissioners shall, and are hereby impowered and required to ascertain what Fee or Fees the Surveyor aforesaid shall have for his Trouble, in making the

Survey aforesaid, and making and returning the Plat aforesaid; and also what Fee or Fees the said Clerk shall have for entring the Proceedings of them the said Commissioners, and the several Services by this Act directed to be done, and transmit the same under their Hands, or the Hands of the major Part of them, to the Justices of *Somerset* County-Court, which Justices are hereby required and impowered to tax and assess the same in the County Levy, which shall be next laid after such Transmission; and that upon the Decease or Resignation of such Clerk, as aforesaid appointed, it shall and may be lawful for the said Commissioners, or the major Part of them, to nominate and appoint a Clerk for the said Town, and so often as Need shall require.

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And to the End that the said Town may not be hindred in it's Improvement, either by the Refusal of the Original Proprietor, or Proprietors, of the said One Hundred Acres, to sell any of the Lots therein to be laid out as aforesaid; or under a high and unreasonable Price, by which Means any Person may be prevented from purchasing the same; or by some Disability, or Incapacity, in such Proprietor, or Proprietors, to convey the same;

Be it Enacted by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful, to and for the said Commissioners, or the major Part of them, to treat and agree with the Proprietor, or Proprietors, of the said Land, not already taken up, for the Price of the same, at any Time before the Twenty-fifth Day of *March*, next ensuing, and in case they make an Agreement for the Price, with the Proprietor, or Proprietors, that when the Lots shall be laid out, they set a Price on each Lot, not already taken up or purchased, for which the Taker-up shall pay; but in case they cannot agree for the said Ground, that then they, or the major Part of them, are hereby authorized, impowered, and required, Ten Days at the least before the Day on which a Survey, as aforesaid, is directed shall be made, to issue a Warrant under the Hands and Seals of them, or the major Part of them, directed to the Sheriff of the said County, which said Sheriff is hereby authorized and required, upon Receipt of such Warrant, to impanel and summon a Jury of Twelve substantial Freeholders, Inhabitants of the same County, to be and appear before the said Commissioners, or the major Part of them, at the same Town, at a certain Day, being such Day on which the aforesaid Survey shall be made; which Jurors, upon their Oath, to them by such Commissioners, or the major Part of them, to be administred, and who are hereby required and authorized to administer the same, shall enquire what Damages and Recompense ought to be awarded to the said Original Proprietor, or Proprietors of all such Lots as are not taken up, and possessed, by any Person or Persons, other than such Original Proprietor, or Proprietors, of the said One Hundred Acres, and the Payment of such Sum or Sums of Money, or Tobacco, as such Lot or Lots, as shall by the said Jury be adjudged worth, to

The Commissioners are to agree with the Proprietors as to the Price of Land.

What is to be done in case they cannot agree.

Session Laws the Proprietor, or Proprietors, as aforesaid, or a Tender thereof by such Person, or Persons, who shall be willing and desirous to take up such Lot or Lots aforesaid, and Refusal by such Proprietor, or p. 27 Proprietors, and such Payment or Tender, and Refusal, being duly proved by the Oath of one or more lawful Witness or Witnesses, before Two Justices of the Peace for the said County, by the said Person or Persons intending to take up the same, and an Entry or Record thereof made by the Town-Clerk aforesaid, and returned by him to be lodged with the other Proceedings, in the County-Court Office, as aforesaid, shall give and make to such Person or Persons, paying or tendering as aforesaid, in absolute Estate in Fee-Simple, in such Lot or Lots, such Person or Persons complying with the other Requisites in this Act mentioned; any Law, Statute, Usage, or Custom, to the contrary notwithstanding.

Lots to be built upon in 18 Months after the taking-up. *And be it Enacted*, That all Lots hereafter to be taken up, shall be built upon and improved, as according to the before Dimensions, within Eighteen Months after the taking up of the same, which Lots so built upon by the Takers-up, or their Heirs, or Assigns, and paid for, or Tender of Payment made as before provided, shall be the Right, Property, and Estate of such Person or Persons so taking up, improving and paying, their Heirs and Assigns for ever.

Two Years allowed for the Taking up of Lots. *And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That all Persons minding to take up Lots in the Town aforesaid, shall have free Liberty to take up and enter the same for the Space or Two Years, to be computed from the Time of making up the same Survey; but in case all the Lots should not be taken up within Two Years after the Survey made, that then the Proprietor, or Proprietors, shall be no ways divested of their Right to such of the said Lots as shall not be so taken up.

Provided always, That the Proprietor of the remaining Land, not taken up or held, shall have the Preference of taking up any Five Lots he shall think fit, so that he make his Election within Four Days after the Survey aforesaid is to be made.

One Penny Sterling to be paid to his Lordship, for every Lot so taken up. *And be it further Enacted*, That every Person who already hath, or hereafter shall take up, pay for, and build on any of the Lots laid out by Virtue of the Acts of Assembly, their Heirs, and Assigns for ever, shall be chargeable with, and liable to the Payment of One Penny Sterling Money, for each Lot so taken up, paid for, and built on, to the Right Honourable the Lord Proprietary, and his Heirs for ever, and that the Clerk of *Somerset* County yearly transmit to his Lordship's Agent for the Time being, an Account of all the Lots so taken up, paid for, and built on, according to the Directions of the said Act.

Saving to his most Sacred Majesty, his Heirs, and Successors, the Right Honourable the Lord Proprietary, his Heirs, and Successors, and to all Bodies Politic and Corporate, and all other Persons not p. 28 mentioned in this Act, their several and respective Rights.

An Act to continue such Causes now Depending in the Provincial Court as by Law ought to have been determined *October* Provincial Court One Thousand Seven Hundred and Forty-two. Session Laws Chap. XII.

Whereas the Provincial Court in course was on the Second Tuesday of this *October*, and by means of the Assembly's Continuance it was impossible to finish such Business in that Court as ought to have been determined by the Laws now in being. Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all such Causes that Depended in the said Court on the aforesaid Second Tuesday of *October*, being the Day to which Writs were returnable, and which would not bear a further Continuance, be, and are hereby, continued until the Third Tuesday of *May* next; any Law, Usage or Custom to the contrary notwithstanding. Causes to be continued in the Provincial Court, &c.

An Act for Laying out and Erecting a Town on the South side of the Eastern Branch of *Potomack* River in *Prince George's* County near a Place called *Garrison Landing*. Chap. XII.

Whereas several Inhabitants of *Prince George's* County, by their Petition to this General Assembly, have set forth, that there is a convenient Place for a Town at the Head of the Eastern Branch of *Potomack* River, and on the South side of the said Branch near the Forks thereof, and at or near a Place called *Garrison Landing*, and prayed that Sixty Acres of Land may be there laid out, and erected into a Town; Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Mr. James Edmunson, Mr. Osborn Sprigg, Mr. William Mauduit, Mr. Thomas Gaunt junior, and Mr. Thomas Warren, shall be, and are hereby appointed Commissioners for *Prince George's* County aforesaid, and are hereby authorized and impowered as well to buy and purchase Sixty Acres of Land, at the Place aforesaid, where it shall appear to them, or the major Part of them, to be most convenient for a Town, as to survey and lay out, or cause the same to be surveyed and laid out, in the best and most convenient Manner, into Sixty Lots, to be erected into a Town. Names of the Commissioners.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Commissioners aforesaid, before nominated and appointed, or the major Part of them, are hereby impowered and required at some Time, by them, or the major Part of them, to be appointed, before the Twentieth Day of *December* next, after the End of this present Session of Assembly, to meet together on the p. 29

Session Laws Land aforesaid, or at some other Place near and convenient thereto, and then and there treat and agree (if the same can be done upon reasonable Terms) with the Owner or Owners, and Person or Persons, interested in the same sixty Acres of Land, for the Purchase thereof. And if it shall happen that the said Owner or Owners, Person or Persons, will not agree with the said Commissioners for such Rate or Price as they the said Commissioners, or the major Part of them shall think reasonable, or shall refuse to make Sale of the same; or that through Non-age, Coverture, or any other Disability or Impediment, shall be disabled to make such Sale, that then, and in any such Case, the Commissioners aforesaid, or the major Part of them, shall and are hereby impowered and required to issue a Warrant under their Hands and Seals, directed to the Sheriff of *Prince George's* County aforesaid, for the Time being, commanding him to summon and impanel a Jury of Twenty-four good and lawful Men, Free-holders of his Bailiwick, to be and appear at a Day and Place in such Warrant to be mentioned, which Sheriff is hereby required and obliged to execute the same, and that Jury being by the said Commissioners charged and sworn, shall upon their Oath enquire, assess, and return what Damages or Recompence they shall think fit to be paid and given to such Owner, or Owners, Person or Persons, for the Sixty Acres of Land aforesaid, and that whatever Sum or Sums of Money such Jury shall so assess and award, shall, and is hereby declared to be the Value and Price to be paid to such Owner or Owners, Person or Persons, interested in the Sixty Acres of Land aforesaid.

Jury to be impanelled to value the Land, in case the Owners refuse to sell the same. *And be it further Enacted by the Authority, Advice, and Consent aforesaid,* That after the Agreement and Purchase of the Commissioners aforesaid, or after the Assessment and Return of the Jury aforesaid, as the Case shall happen, the aforesaid Commissioners, or the major Part of them, shall, and are hereby required to cause the same Sixty Acres of Land to be carefully surveyed, divided, and laid out by the Surveyor of the County aforesaid, or such other Person as they, or the major Part of them shall make choice of and appoint for that Purpose, in case the said Surveyor shall neglect or refuse to attend, as near as conveniently may be into Sixty equal Lots, allowing such sufficient Space or Quantity thereof for Streets, Lanes, and Alleys, as to them shall seem meet, and the same Lots so laid out shall number with Numbers, 1, 2, 3, and so to Sixty, for distinguishing each Lot from the other, and shall cause the Streets, Lanes, and Alleys to be named and distinguished by certain Names, and by Posts or Stakes to be set up towards each of them.

The said Sixty Acres to be surveyed and divided into Lots. *And be it further Enacted by the Authority, Advice, and Consent aforesaid,* That the Commissioners aforesaid, or the major Part of them, shall, and are hereby required to assess, set, and ascertain the Price to be paid for each of the Lots aforesaid, according to the Value, Conveniency and Situation thereof, so always that the Prices

Lots to be valued by the commissioners.

of all the same Lots added together may amount to the Sum by them agreed for, or awarded by the Jury, for the aforesaid Sixty Acres of Land, and no more; and that the aforesaid Sixty Acres of Land being so surveyed, laid out and divided, shall be, and is hereby erected into a Town, and shall be called by the Name of *Bladensburgh*.

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And be it further Enacted, That the Owner or Owners of the aforesaid Land shall and may have his, her, or their Choice of any Two of the Lots aforesaid, to be by him, her, or them retained for his, her, or their proper Use.

Owners to
have Choice
of any Two
Lots.

Provided, such Choice shall be made and declared to the Commissioners aforesaid, or the major Part of them, within Ten Days after the Survey aforesaid shall be made and compleated, and not otherwise; and that after such Choice is made, or in case no such Choice shall be made, within the Ten Days aforesaid, then after the Expiration of the same Ten Days, all Persons whatsoever shall be at Liberty to take up and purchase the same Lots, paying the Owner or Owners aforesaid, or others therein interested, the Price or Value thereof, so as aforesaid set and assessed by the Commissioners aforesaid; and that every Person who shall pay as aforesaid, the Price of the Lot by him or her taken up or chosen, or shall prove to the Satisfaction of the said Commissioners, or the major Part of them, that he or she had tendered, or offered to pay the said Price to the Owner or Owners aforesaid, and That such Owner or Owners had refused to accept or receive the same, and an Entry of such Payment or Tender, and Refusal, being made according to the Directions hereafter mentioned, such Person shall, and is hereby declared to be, by Virtue of such Payment or Tender, and Refusal, and Entry thereof made as aforesaid, and this Act, fully and absolutely invested and seized of and in an Estate of Inheritance in Fee-simple, of and in such Lot, to him or her, and his or her Heirs and Assigns for ever, without any Deed, Conveyance, or other Transfer from such Owner or Owners for the same; any Statute, Law, Usage, or Custom, to the contrary notwithstanding.

Proviso.

Provided always, That it shall not be lawful for any Person to take up, enjoy, have, or possess more than one of the same Lots within Twelve Calendar Months after the same are divided and laid out as aforesaid.

Proviso.

Provided also, That all and every the Person and Persons aforesaid, so taking up the Lots aforesaid, or any of them, shall, and are hereby obliged and required, within Eighteen Months after they shall take up their respective Lots as aforesaid, and Entry thereof made as aforesaid, to erect, build, and finish thereon one good, substantial and tenantable House, with one Brick or Stone Chimney thereto, that shall cover four Hundred square Feet of Ground; and that all and every of such Taker or Takers-up, who shall neglect to build as aforesaid on their respective Lots aforesaid, within the Time herein for that Purpose limited and appointed, shall lose such;

Proviso.

Session and the Estate of such Taker up, so neglecting as aforesaid, shall
 Laws from thenceforth cease and determine, and such Lot or Lots so neglected to be built upon, shall be subject to be again taken up by any
 p. 31 other Person whatsoever, which second Taker-up paying to the Commissioners aforesaid the Price thereof, so as aforesaid assessed, and Entry thereof made as aforesaid, and building thereon as before directed, within the Time before limited, after such second Taking-up, shall have the like Estate in such Lot or Lots as the first Takers-up, who shall comply with all the Requisites before-mentioned, are herein before declared to have, and so *toties quoties* until the same Lots shall be built on and improved as aforesaid.

Money *And be it further Enacted*, That the Money as aforesaid directed
 arising from the to be paid to the Commissioners aforesaid, for the Lots not built
 Sale of upon and improved by the first or other Takers up within the Time
 Lots, how herein limited, shall, and is hereby directed to be applied to such Pur-
 to be poses, for the Use and Benefit of the said Town, as to the said Com-
 applied. missioners, or the major Part of them, shall seem meet.

And be it further Enacted by the Authority aforesaid, That the
 A Plat of Surveyor of the County aforesaid, or other Person whom the Com-
 the Town to missioners aforesaid, or the major Part of them, shall appoint, in
 be made, case the said Surveyor shall neglect or refuse to attend, to survey and
 wherein lay out the Land aforesaid, as before herein directed, shall make out
 each Lot is a fair and exact Plat of the Town aforesaid, and Survey thereof,
 to be dis- whereby each Lot, Street, Lane and Alley, therein may appear to be
 tinguished by its well distinguished by their respective Numbers and Names, and the
 respective Number. same Plat, with a full and plain Certificate thereof, shall deliver to
 the Commissioners aforesaid, or the major Part of them, to be entered
 and repositied as hereafter directed, and that the said Surveyor, or
 other Person appointed as aforesaid, in case the said Surveyor shall
 neglect or refuse to attend, shall have and receive for surveying and
 laying out the Town aforesaid, and making the Plat aforesaid, the
 Sum of Fifteen Hundred Pounds of Tobacco, to be paid and allowed
 him in the County Levy, and no more.

Town *And be it further Enacted by the Authority aforesaid*, That the
 Clerk to be Commissioners aforesaid, or the major Part of them, shall, and are
 appointed. hereby required to employ some sufficient Person for their Clerk,
 and shall administer an Oath to such Clerk for the due Performance
 of his Office; which Clerk shall, and is hereby obliged to find and

His Duty. provide a good well-bound Book, for registering and entring the Pro-
 ceedings of the said Commissioners in the Premises, and shall duly
 and faithfully register and enter in such Book the Certificate of the
 Survey aforesaid, the Prices of each respective Lot, the Name of the
 Owner, and Time of it's being taken up and paid for, or of the Tender
 and Refusal as aforesaid, and all other the Transactions and
 Proceedings of the said Commissioners whatsoever, in and about
 the Town aforesaid; which said Registry, together with the Plat or
 Survey of the same Town, shall be carefully examined and inspected

by the aforesaid Commissioners, or the major Part of them, and after the same is compleated, shall be lodged with, and delivered to the Clerk of the same County, to be by him kept amongst the Records of the same County. Session
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And be it further Enacted, That the said Commissioners, or the major Part of them, shall limit and ascertain what Fees their Clerk aforesaid shall take and receive for the several Services by him to be done by virtue of this Act, to be paid by the several Persons taking up the Lots as aforesaid. p. 32

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons taking up and possessing the Lots aforesaid, or any of them, shall be, and are hereby obliged to pay unto the Right Honourable the Lord Proprietary, his Heirs or Assigns, the yearly Rent of One Penny, Current Money of *England*, for each respective Lot by them so taken up and possessed, to be paid in the same manner as his Lordship's Land-Rents of this Province now are or hereafter shall be paid. Rent, 1 d
Sterl. per
Lot.

Saving to his most Sacred Majesty, his Heirs, and Successors, the Right Honourable the Lord Proprietary, his Heirs, and Successors, and to all Bodies Politic and Corporate, and all Persons not mentioned in this Act, their several and respective Rights; any Thing in this Act to the contrary thereof in any wise notwithstanding.

An Act to Impower and Direct the Clerk of Somerset County to Enter and Record among the said County Records a Deed of Bargain and Sale from John Martin to James Martin of a Lott of Land therein mentioned. Chap. XIV.
Liber
B. L. C.
p. 257

Whereas James Martain of Somerset County by his Petition to this General Assembly has set forth that on the first Day of October Anno Domini One Thousand Seven hundred and forty he purchased of John Martin a Lot of Ground in Snow Hill Town in the same County Called a Lot (Number Eleven) and had the same Conveyed to him in Fee by the said John by a Deed of Bargain and Sale bearing Date the same Day aforesaid which Deed the said John According to Act of Assembly in such Case provided Acknowledged before Two Justices of the same County on the day of the date thereof and that within two Weeks after the Date of the same Deed he the Petitioner Delivered the same to a Certain Alexander Buncle to be by him Delivered to the Clerk of the same County in order to be Recorded in the Records of that County According to the Directions of the Act of Assembly aforesaid but that the said Alexander Buncle having forgot to Deliver the same kept the said deed in his possession till after the Expiration of above seven months from the date thereof, and that the aforesaid John Martin immediately after the Execution of the said deed left this province went to and still Continues, in parts beyond sea, whereby the same is become Defective, for want of being Recorded in time, wherein the said petitioner p. 258

Liber
B. L. C. Prayed Relief and it appearing by the Affidavit of the aforesaid Alexander Buncle endorsed on the same deed, as well that the matters as aforesaid set forth are true as that the petitioner hath Bona fide paid the sum of Twenty five pounds Sterling Money as a Consideration for the Lot aforesaid Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Clerk of Somerset County aforesaid shall and may, and is hereby Authorized and Required to Receive the deed aforesaid from the aforesaid James Martin and the same to Enter of Record amongst the Records of the same County together with the Acknowledgment Affidavit aforesaid and the Receipt for the Alienation Fine thereon Endorsed and made and that the same deed being so Recorded and Entred shall and is hereby declared and Enacted to be good, and Valid and in full force power and Virtue in Law, and that the Estate of the same James Martin of and in the same Lott Granted or mentioned, and Intended by the said Deed to be to him Granted shall and is hereby Invested and Confirmed in and to the same James as fully and amply to all Intents and purposes as if the deed aforesaid with the Acknowledgment thereof had been recorded within six months after the Date thereof the Neglect or Omission of Recording the same According to the time Limited by the Act of Assembly aforesaid or any other matter or thing to the Contrary Notwithstanding Saving to his most Sacred Majesty his heirs and Successors to the Right Honourable the Lord Proprietary his heirs and Successors and to all Bodys Politick and Corporate and all persons not mentioned in this Act their Several and Respective Rights.

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Chap. XV. An Act to enable the Justices of *Baltimore* County Court to Assess and Levy on the Taxable Inhabitants of *St. Paul's* Parish in the said County, a quantity of Money for the Uses and Purposes therein mentioned, and also to Divide the said Parish, and for erecting Part thereof into a new one.

Preamble. Whereas it is represented to this General Assembly by a Petition from the Rector, Vestry-men, Church-wardens, and other the Inhabitants of the Parish of *St. Paul*, in *Baltimore* County, that the Church of the said Parish stands very inconvenient to a great Part of the Parishioners of the said Parish, and especially to the Forest Inhabitants thereof, who could not without difficulty attend the said Church as frequently as they ought, by reason of the distance of more than Thirty Miles which many of them Live from the said Church. And whereas it is also by the said Petition represented, that many of the Parishioners of the said Parish had agreed upon a voluntary Subscription for the Purchasing a piece of Land in a convenient Place, and Building a Chappel of Ease thereon, and lest the

same might not be sufficient to carry on so religious a Design, it was therefore Prayed that it might be Enacted,

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And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall and may be lawful for Mr. *William Hamilton*, Mr. *Christopher Gist*, Mr. *Samuel Owings*, Mr. *Christopher Randall*, and Mr. *Nicholas Hayles*, of the Parish aforesaid, and they, or the major Part of them, are hereby directed, impowered and appointed to collect and receive from all or any of the Parishioners of the said Parish, all, and every Sum and Sums of Money, Tobacco, and other Goods and Effects which all or any of the Parishioners shall freely and voluntarily give and bestow, and the same to appropriate and apply for and towards the Uses and Purposes in this Act mentioned, and for or towards no other Use, Intent and Purpose whatsoever.

Persons
appointed
to receive
voluntary
Gifts
towards
Building a
Chappel.

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And be it further Enacted by the Authority, Advice and Consent aforesaid, That the aforesaid Mr. *William Hamilton*, Mr. *Christopher Gist*, Mr. *Samuel Owings*, Mr. *Christopher Randall*, and Mr. *Nicholas Hayles*, or the major Part of them, may, and are hereby impowered to Purchase of any Person or Persons, who shall be willing to dispose of the same, a piece of Land not exceeding Two Acres, in such Place as they shall think convenient, and thereon shall and may Erect and Build, or cause to be Erected and Built, a Chappel of Ease for the Forest Inhabitants, and such others as shall chuse to resort thither, the Cost, Charge and Expence of which Purchase and Building as aforesaid, shall, and are hereby directed to be paid for, borne, and defrayed, by and out of the Money, Tobacco, and other Goods and Effects aforesaid, raised or to be raised by the voluntary Contributions of the Parishioners as aforesaid, or so far forth as the same shall extend unto. And in case the voluntary Contributions aforesaid, should not amount to a sufficient Sum for Defraying the Charges aforesaid, that then, and in such case, it shall and may be lawful to and for the Justices of *Baltimore* County Court for the Time being, at the instance and request of the Vestry of the said Parish, or the major Part of them, for the Time being, to the said Court signified in Writing, in the *November* Court to be held for that Year wherein the Request aforesaid, in manner aforesaid, shall be made, to Assess on the Taxable Inhabitants of the said Parish, any Sum of Money not exceeding the Sum of One Hundred Thirty Three Pounds Six Shillings and Eight Pence Current Money, in any one Assessment, nor for more than Three Assessments, and shall direct, and the Sheriff of the County aforesaid is hereby impowered and required to Levy, Collect and Receive, in such manner, and for such Salary, as other Parish Charges are Levied, Collected and Received, all and every such Assessment or Assessments so as aforesaid on the Parishioners aforesaid imposed, and the same so Levied, Collected

If the
voluntary
contribu-
tions prove
insufficient
for the
purpose,
then a Sum
to be
Levied.

Session and Received, shall pay and deliver to the aforesaid Mr. *William Laws* *Hamilton*, Mr. *Christopher Gist*, Mr. *Samuel Owings*, Mr. *Christopher Randall*, and Mr. *Nicholas Hayles*, or the major Part, of them, on or before the First Day of *August* in every Year wherein such Assessment shall be made, to and for the Compleating and Finishing the Chappel aforesaid, and to or for no other Use, Intent or Purpose whatsoever.

Account And be it further Enacted by the Authority, Advice and Consent to be rendered. aforesaid, That the said Mr. *William Hamilton*, Mr. *Christopher Gist*, Mr. *Samuel Owings*, Mr. *Christopher Randall*, and Mr. *Nicholas Hayles*, or the major Part of them, shall be, and are hereby obliged, to render a fair and just Account to the Vestry of the said Parish for the Time being, of the Money, Tobacco, and other Goods and Effects so as aforesaid raised by voluntary Contributions, as also for all such Sum or Sums of Money as shall in Manner and for the
p. 34 Uses and Purposes aforesaid, be by the said County Court Assessed, and by the Sheriff Paid to them for the Uses and Purposes aforesaid, and how the same have been disposed of and applied: And if upon a final Account thereof there shall appear to be a Balance due from the said Mr. *William Hamilton*, Mr. *Christopher Gist*, Mr. *Samuel Owings*, Mr. *Christopher Randall*, and Mr. *Nicholas Hayles*, after Purchasing the said Land, and Building and Finishing the Chappel aforesaid, that then and in such case, they the said Mr. *William Hamilton*, Mr. *Christopher Gist*, Mr. *Samuel Owings*, Mr. *Christopher Randall*, and Mr. *Nicholas Hayles*, them, or any of them, are hereby directed and required to pay such Balance to the Vestry of the said Parish for the Time being, to be applied by the said Vestry towards defraying the Charges of the said Parish.

And whereas it is also by the said Petition represented to this General Assembly, that the Parish aforesaid is very large, and at present affords near Sixty Thousand Pounds of Tobacco *per Annum* to the Reverend *Benedict Bourdillon* the present Incumbent, and that the Hundred of *Soldiers Delight*, and *Back River* upper Hundred, at present in the said Parish, are very extensive, and contain upwards of Five Hundred Taxable Persons; It was therefore prayed that it might be Enacted, That after the Death or Translation of the present Incumbent, the said Hundred of *Soldiers Delight*, and *Back River* upper Hundred, be divided from the present Parish of *St. Pauls*, into a separate Parish.

Be it therefore Enacted by the Authority, Advice and Consent aforesaid, That immediately from and after the Death or Translation, which shall first happen, of the aforesaid *Benedict Bourdillon*, the present Incumbent of *St. Paul's* Parish, the aforesaid Hundred of *Soldiers Delight*, and *Back River* upper Hundred, be, and are hereby separated and taken from the aforesaid Parish of *St. Paul*, and be Erected into a new Parish by the Name of *St. Thomas* Parish,
St. Paul's Parish to be divided.

and the Two Hundreds aforesaid, shall, from and after that of the Two Contingencies aforesaid, which shall first happen, by virtue of this Act, be deemed, adjudged, reputed and taken for *St. Thomas* Parish, and not as part or parcel of *St. Paul's* Parish aforesaid, and that the Inhabitants of the said *St. Thomas* Parish shall have and enjoy all Benefits and Privileges, Power and Authorities, in every respect, equal with any Inhabitants of any other Parish within this Province: And further giving to the Freeholders of *St. Thomas* Parish aforesaid, at a certain Day to be by them appointed, after the falling of either of the said Contingencies, which shall first happen, full and ample Power to Elect and make Choice of the number of Six select Vestry-men, and Two Church-wardens, and the same to alter and renew at such Times and in such Manner as former Laws of this Province do direct.

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Provided always, and it is hereby Enacted by the Authority, Advice and Consent aforesaid, That the Chappel herein before directed to be Built, shall be Erected and Built in such Place as to them the said William Hamilton, Christopher Gist, Samuel Owings, Christopher Randall and Nicholas Hayles, or the major Part of them, shall seem meet and convenient, and so as to answer the convenience of the said intended Parish of St. Thomas, and not elsewhere, and that the Chappel aforesaid shall be Erected and Built sufficiently large, and shall, on the falling of either of the Contingencies aforesaid, which shall first happen, be, and become, and be deemed, taken and used, as the Parish Church of the Parish of St. Thomas aforesaid, and to and for no other Use, Intent or Purpose whatsoever; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Proviso.

p. 35

An Act for Relief of *Honor Hugell, Susanna Murray, Catharine Brett, John Lumley, George Jenkins, and Anthony Hill*, languishing Prisoners in *Anne-Arundel* County Goal; *Thomas Brown, Robert Evans, and Robert Brashiers*, languishing Prisoners in *Prince George's* County Goal; *Paul Busey*, a languishing Prisoner in *Calvert* County Goal; *John Mitchell, and Charles Gannon*, languishing Prisoners in *Talbot* County Goal; *Samuel Peck, and Edmund Melton*, languishing Prisoners in *Queen-Anne's* County Goal; *Francis Tate, George Russel, and William Willoughby James*, languishing Prisoners in *Somerset* County Goal; *Robert Walmsley*, a languishing Prisoner in *St. Mary's* County Goal; *Solomon Trener, and Garret Corbert*, languishing Prisoners in *Cæcil* County Goal; and *John West, and William Clements, junior*, languishing prisoners in *Charles* County Goal.

Chap. XVI.

Whereas the said *Honor Hugell, Susanna Murray, Catharine Brett, John Lumley, George Jenkins, Anthony Hill, Thomas Brown, Robert Evans, Robert Brashiers, Paul Busey, John Mitchell, Charles*

Preamble.

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Gannon, John West, William Clements, junior, Samuel Peck, Edmund Melton, Francis Tate, George Russell, William Willoughby James, Robert Walmsley, Solomon Trener, and Garret Corbert, by their humble Petition to this present General Assembly, have set forth, that they have continued Prisoners for Debt in the Custody of the Sheriffs of the several Counties aforesaid, and still continue in the like deplorable Circumstances, and not being able to redeem their Bodies with all the Estate or Interest that they have in the World, which they would readily deliver up and part with to their several and respective Creditors, if they would accept the same and Grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that unless relieved by a particular Act Passed in their Favours, which by their said Petition they have humbly prayed, they must inevitably continue Prisoners for Life. And for that the Truth of the said Petitioner's Allegations are made appear to this present General Assembly by sufficient Testimony, and that the said Petitioners are fit Objects of Charity, and that their lying in Goal can be no Benefit to their Creditors, it is humbly Prayed that the said Petitioners may be Relieved according to their Prayers, and that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the

p. 36

same, That unless all or any of the Creditor or Creditors of any of the said Prisoners, or the Attorney of such Creditors aforesaid within this Province, shall, within Twenty Days after the End of this Session of Assembly, go to the Sheriffs of the aforesaid Counties of Anne-Arundel, Prince George's, Calvert, Talbot, Charles, Queen-Anne's, Somerset, St. Mary's, and Cæcil, and give good Security to pay the Imprisonment Fees the Sum of Ten Pounds of Tobacco per Day, that shall or may become due from the said Prisoners respectively, after the end of the said Twenty Days, and also find the said Prisoners, sufficient Meat, Drink and Cloathing, during their future Imprisonment; and in case they the said Prisoners shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriffs of the Counties aforesaid, in the Presence of Two Justices of the Peace of the said Counties, whom the said Sheriffs are hereby required to Summon, on the request of the said Prisoners, at some convenient Time after the receipt of this Act, not exceeding Ten Days, all their Real and Personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which they have any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriffs of Anne-Arundel, Prince George's, Calvert, Talbot, Charles, Queen-Anne's Somerset, St. Mary's, and Cæcil, Counties, for the use of the said Creditors, all such their Estate, Interest or Claim as aforesaid, after such manner as by the said Sheriffs, and by the major Part of

Creditors to
go to the
Sheriffs in
20 Days,
and give
security for
Fees, &c.

such Creditors, or of such of them as shall think fit to direct therein, or their Council Learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim Benefit thereof, so as the said Prisoners be not burthened with any Warranties thereby, other than from themselves or those claiming by, from or under them, and that the said Prisoners, at the Time of such their Surrender and Transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices of the Courts aforesaid, to the Effect following, *Viz.*

I A. B. do Affirm, or solemnly Swear, that the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of _____ County, and in Trust for the use of my Creditors, is the whole Estate both Real and Personal of my Own in Possession or have any Title to in the World, and that I have not any Estate, Goods or Effects of any kind whatsoever, left either in Possession, Reversion or Remainder (the necessary Wearing Apparel for my self, Wife and Children, and Working Tools, excepted) and that I have not directly or indirectly, sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof. So help me God.

It shall and may be lawful for the Sheriffs of the Counties aforesaid, after the end of the said Twenty Days, and the said Sheriffs are hereby required to Discharge the said Prisoners out of their Custody, and suffer them to go at large.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That if the said Prisoners, or any of them, shall hereafter be Imprisoned by reason of any Judgment or Decree obtained for the Payment of any Debt, Damage or Cost, contracted, occurred, or occasioned, owing or growing due before the end of this Session of Assembly, upon every such Arrest, on any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judge or Justices of the Court where any such Process shall issue, upon shewing a Duplicate of the Discharge of the said Prisoners, or any of them, being so Arrested, to release and discharge out of Custody the said Prisoners, or any of them, provided the said Prisoners, or either of them, being so Arrested, shall and do enter his or their Appearance, or procure some Attorney to appear to every such Action and plead thereto, provided that the Discharge of the said Prisoners, or any of them, shall not acquit any other Person from such Debt, Damage or Cost, or any part thereof, but that all such Persons shall be answerable for the same in such manner as they were before the Passing this Act.

To be discharged from future Arrests on appearance, &c.

Provided always, and be it Enacted by the Authority aforesaid, That notwithstanding the Discharge of the said Prisoners, or any of them, all and every Debt or Debts, due and owing from him or them,

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Debts to
stand good
in case, &c.

and all and every Judgment had or Decree obtained, against him or them, shall stand and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements and Hereditaments, Goods and Chattels of him or them, and which he or they, or any other Person in Trust for the use of him or them, had at the Time of the Discharge of the said Prisoners, or any of them, or which he or they at any Time hereafter shall or may be any way Seised or Possessed of, or Interested in, to his or their own use, or in his or their own proper Right, either in Law or Equity, (except the wearing Apparel and Bedding, or Working Tools of him or them, not exceeding the Sum of Ten Pounds Current Money,) and it shall and may be lawful for any of their Creditors, their Executors, Administrators and Assigns, to take out new Execution or Executions against the Lands, Tenements, or other Hereditaments, Goods and Chattels, of the said Prisoners, or any of them, (except as before excepted) for the Satisfaction of his or their Debts, in such sort, manner and form, as he or they might have done if the said Prisoners, or any of them, had not been taken in Execution or Discharged by virtue of this Act.

Actions of
Escape.

And be it further Enacted by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice or Justices, for the performing their Office in pursuance of this Act, he or they may Plead the General Issue, and give this Act and the Matter in Evidence, and if the Plaintiff be Non-suit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

Proviso.

Provided also, That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the before mentioned Prisoners, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making this Act.

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Persons
intended
to be reliev'd
by this Act,
if perjur'd,
not to re-
ceive any
benefit
therefrom.

Provided nevertheless, That in case the said Prisoners, or any of them, shall at any Time after making such his Oath or Oaths, or taking such his Affirmation or Affirmations, as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the tenor of such Oath or Affirmation as aforesaid, that then the said Prisoners, or any of them, being Convicted as aforesaid, shall upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him, her or them by this Law, and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever, in the same manner as if this Act had never been made; any thing to the contrary notwithstanding.

Sheriff's
Fees to be
first paid.

Provided always, That the Sheriffs of *Anne-Arundel, Prince George's, Calvert, Talbot, Charles, Queen-Anne's, Somerset, St. Mary's,* and *Cæcil*, Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before

any Creditor or Creditors shall have any share of the Prisoners Effects, and if the said Prisoner's Effects shall not be sufficient to satisfy the Sheriffs their Imprisonment Fees, that then the said Prisoners, or any of them, shall Satisfy and Pay to the Sheriff the residue of their Imprisonment Fees; Provided that the said Sheriffs shall not Prosecute, Detain or Imprison the said Prisoners, or any of them, within Two Years after his or their Release; any thing in this Act contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any of the Persons intended to be Relieved by this Act, are and shall be of sufficient Ability of Body to Labour, such Person or Persons, being unmarried and having no Family, shall be and are hereby obliged to Serve a Term not exceeding Five Years, to any Person or Persons who are or shall be inclinable to purchase the Time and Servitude of such Debtor or Debtors as aforesaid, and that the respective Sheriffs in whose Custody the aforesaid Persons, or any of them, are, be, and are hereby, authorized, empowered and obliged, at the first County Court to be held for their respective Counties next after the end of this Sessions, and during the Time of Court sitting, by Order of such Court, to publish the Sale of such Debtor, and the Time of his or her Servitude, and the same may and are hereby obliged to sell or dispose of to the highest Bidder, and the Money arising from such Sale, shall be as Effects of such Debtor in the hands of such respective Sheriff as aforesaid, subject to an equal distribution to the Creditors of such Debtor or Debtors, and such Sheriff is hereby obliged to distribute the same in equal proportion to such Creditors accordingly.

Provided always, That any such Debtor or Debtors being Single and subjected to Serve as aforesaid, and being Sold for that purpose, that then and in such case, such Sale and Service is hereby deemed a full and sufficient acquittal and discharge against all Debts due from such Person or Persons, before such Sale and Servitude as aforesaid; any thing in this Act, or any Law, Statute, Usage or Custom to the contrary thereof notwithstanding.

And be it further Enacted by the Authority, Advice and Consent aforesaid, That whatever Estate, whether Real or Personal, any of the Prisoners aforesaid shall surrender or give up to any of the Sheriffs in whose Custody they are or shall be at the Time of their or any of their Discharge, shall, by the Sheriff or Sheriffs in whose Custody such Prisoner or Prisoners shall be, in the Presence of One Magistrate of the particular County where such Prisoner shall be Discharged, be exposed to Public Sale, and Sold to the highest Bidder; and that after the same be done, and the Sheriff or Sheriffs are paid, or secured to be paid, their Fees, the residue be applied to the Creditors of such Prisoner or Prisoners that shall apply therefore within Twenty Days after the said Sale, in equal proportion to their Demands.

Session
Laws

Prisoners
to be Sold
if unmar-
ried, &c.

Proviso.

p. 39
Estates to
be Sold.

Session Laws *And be it further Enacted*, That all such Accounts, Bonds, Notes, or other Demands, any of the said Prisoner or Prisoners have against any Person or Persons whatsoever, be, by the said Prisoner or Prisoners Assigned to the Sheriff in whose Custody such Prisoner or Prisoners shall be or are at the Time of their Discharge, and that such Sheriff or Sheriffs shall and may maintain an Action or Actions on such Demands, as Assignee of such Prisoner or Prisoners in his own Name.

Proviso. *Provided always*, That such Creditor or Creditors demand of such Sheriff to Sue, and give to such Sheriff a Bond to indemnify him against any Charge that may accrue to such Sheriff by means of Suing, and in case of a Recovery that then the Sheriff make distribution of what shall be recovered, to the Person or Persons giving him such Security as aforesaid.

Liber B. L. C. p. 265 Ch. XVII. An Act to enable Caleb Dorsey of Ann Arundel County Gentleman to sell and dispose of forty nine Acres of Land part of the Estate of Mary Woodward and Elizabeth Woodward Infants.

Whereas Elizabeth Ginn in her Own Right William Woodward and Mary Holmes Trustees Devisees and Executors of Mary Woodward deceased by their Deed dated the thirtieth day of September one Thousand seven hundred thirty and six for the Consideration therein mentioned sold and Conveyed to Achsah Woodward for Life without Impeachment of Waste and from and after her death to her Two Daughters the said Mary Woodward and Elizabeth Woodward their heirs and Assigns to be equally Divided between them as Tenants in common the several following Tracts of Land Lying in Ann Arundel County aforesaid Viz. Dorsey's Addition Upper Taunton Burntwood and Howards Interest and all other the Lands to the said several Tracts adjoining as the same are contained within the metes and Bounds mentioned in a Survey Lately made by Master Henry Ridgely and Expressed in the said Deed as may appear by the Land Records of Ann Arundel County And Whereas the said Caleb Dorsey has by his petition represented to this General Assembly that the said Achsah is since Dead and the said Mary and Elizabeth her said Children are now Living and to whom the said Caleb is Grandfather and Guardian and further that the said Caleb has an Oppertunity of Letting upon Lease the said Lands for the benefit of the said Orphans if he Could be Enabled to sell forty nine Acres part of the said Lands contained in the said Survey in fee for thirty Pounds Sterling which is offered to the said Caleb and which upon a Valuation made by Charles Carroll Esquire and Master John Worthington is reckoned to be the utmost Price the said forty nine Acres can be Worth and also that the said Caleb Dorsey proposes to place the said money at Interest for the Benefit of the said Orphans and in Trust to the same uses as the said Land is Settled Wherefore the said Caleb [petitions]

that he might be enabled to sell the said forty nine Acres and place the money at Interest for the purposes as aforesaid. Liber
B. L. C.

Be it Therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses, of Assembly and the Authority of the same that the said Caleb Dorsey shall and may and he is hereby impowered to sell and dispose of and convey in fee simple for the consideration of the said thirty pounds Sterling the said forty nine Acres abutted and bounded as followeth Viz. Beginning at a Stake by the main Road on the East side thereof and running thence North fifty five Degrees East thirty three Perches to a Stake in the head of a bottom or Valley and running thence Partly Down the said Valley North forty Degrees west ninety eight Perches to the north East Line of the aforesaid Upper Taunton where stands a Red Oak Sapling marked with four Notches and from thence reversing the aforesaid North East Line South West Eighty four perches to a white Oak Sapling marked with four Notches from thence Running South forty Degrees East Eighty four Perches and from thence with a Strait Line to the first beginning p. 266

And be it Further enacted by the Authority Advice and Consent aforesaid that such person or persons who shall buy and Purchase the said forty nine Acres as aforesaid and pay the consideration money aforesaid shall be by Virtue of such Purchase and by force of this Act vested with and seized of an Estate in fee simple of and into the said forty nine Acres of Land And it is hereby Further enacted by and with the Authority Advice and Consent aforesaid that the said Caleb Dorsey shall as soon as conveniently may be place the said thirty pounds at Interest in such manner and upon such Security as he shall Judge proper and that the said thirty pounds Sterling and the Interest thereof shall be and is hereby Declared to be in Trust for and to the same purposes uses and limittations as the said Lands are now Limited by the aforesaid Recited Deed and shall be Accordingly Accounted for to the said Mary Woodward and Elizabeth Woodward and that the said Caleb Dorsey shall on Placing the said thirty pounds at Interest make and Subscribe a Declaration of the uses and Trusts of the said money so placed at Interest according to the Directions and true Intent and meaning of this Act.

An Act for dividing *Prince George's* Parish, in *Prince George's* County, and for erecting a Parish out of the same, called by the Name of *All Saints* Parish. Session
Laws
p. 39
Ch. XVIII.

Whereas, it is represented to this present General Assembly by the Inhabitants of *Prince George's* Parish, in *Prince George's* County, that the said Parish is very large, and the Parish-Church is at so great Distance from the Back Inhabitants, That it is not in their Power to tend the Worship and Service of God; for Remedy Preamble.

Session whereof, and for that the Reverend *George Murdock*, the present
Laws Incumbent, having Notice thereof, and consenting thereto, it is
prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Twenty-second Day of *November* next ensuing, all that Part of *Prince George's* Parish, beginning at
Dividing a *Great Senecar Run* Mouth, and running by and with the said Run
Parish. to the Head thereof, from thence with a due East Line to the Head of one of the Draughts of *Patuxent-River*, and so binding all round as the Upper Part of said County is bounded, shall be, and is by this Act separated, constituted, erected, and made into a Parish, to be called by the Name of *All Saints* Parish, divided as aforesaid from *Prince George's* Parish in the said County, and shall be, and is hereby adjudged, deemed, and taken to be a separate and distinct Parish; giving to the several Free-holders thereof (at a certain Day to be
p. 40 appointed by them) full and ample Power to elect and make Choice of the Number of Six select Vestry-men, and Two Church-wardens, and also to build and found a Church therein; and shall have, hold, and enjoy all Privileges and Advantages whatsoever, that are held and enjoyed by any other Parish within this Province; any Law, Statute, Usage, or Custom, to the contrary notwithstanding.

Ch. XIX. An Act to divide *Somerset* County, and to erect a new County on the Sea-board Side, by the Name of *Worcester*.

Preamble. Forasmuch as divers Inhabitants of *Somerset* County have by their Petition to this General Assembly prayed that the said County may be divided, and a new County erected out of Part thereof;

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That after the Tenth Day of *December* next, the Bounds of
Bounds of *Somerset* County. *Somerset* County shall contain as followeth: Beginning at *Watkins's* Point, and from thence running up *Pocomoke-Bay* to the Mouth of *Pocomoke-River*, up and with the said River to the Mouth of *Dividing-Creek*; thence up the Westernmost Side of the said Creek and main Branch to the Bridges called *Denstone's* Bridges, and from thence West to the main Road called *Parahawkin-Road*; thence up and with the said Road to *John Caldwell senior's* Saw-Mill, thence up and with the said Road, over *Cox's* Branch, to *Broad-Creek* Bridge, and down the said Branch and Creek into *Nanticoke-River*; thence down the said River with *Dorchester* County, to the Mouth thereof, and from thence, including all the Islands formerly deemed
New County to be in *Somerset* County, to the Beginning called *Watkins's* Point; named. and that after the said Tenth Day of *December*, all the remaining

Part of what is now reputed to be within the County of *Somerset*, to the Extent of this Province, shall be, and is hereby constituted into a County, and shall be nominated, called, and known by the Name of *Worcester* County, and the Inhabitants thereof shall have and enjoy equal Privileges with the other Counties of this Province, in sending Delegates to the General Assembly, having County-Courts, Sheriffs, Justices, and other Officers and Ministers, as is usual in other Counties within this Province.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That Col. *Levin Gale*, Col. *Robert King*, Major *George Gale*, Capt. *James Martin*, Major *Robert Jenckins Henry*, and Mr. *Isaac Morris*, or the major Part of them, shall be, and are hereby authorized and impowered, at such Times as they or the major Part of them shall think proper, before the Tenth Day of *December* next, to meet together at *Princess Anne* Town in *Somerset* County, and *Snow-Hill* Town in *Worcester* County, and buy or purchase from the Owners of such Land, as they or the major Part of them shall think proper in the said Towns, not being more than one, or less than half of one Acre, whereon to erect a Court-House in each County, and a Prison in *Worcester* County, if the Owner of such Land will sell it at a reasonable Rate; but if the Owners of such Lands as by the said Col. *Levin Gale*, Col. *Robert King*, Major *George Gale*, Capt. *James Martin*, Major *Robert Jenckins Henry*, and Mr. *Isaac Morris*, or the major Part of them, shall be chosen, shall refuse to sell it at a reasonable Price, or be under the Age of Twenty-one Years, or other Disability to sell or convey the same, then the said Persons or the major Part of them are hereby authorized and impowered to issue a Warrant to the Sheriff of such County, where it shall be requisite, therein requiring the said Sheriff to summon Twenty-four Freeholders of the said County, to appear on the Land to be chosen as aforesaid, at a Time therein to be mentioned, Twelve at least of which said Freeholders shall be impanelled and sworn as a Jury, to enquire who is Owner, and declare the Value of the said Land designed for a Court-House, and the Payment of such their Valuation to the Persons who shall be found by such Jury to be Owner of such Land, or to the Guardian of the Owner, if a Minor, or to the Husband, if a Feme Covert, if one shall be found to be the Owner; which Payment and Receipt therefore, or Tender thereof, shall invest the Justices of *Worcester* County, and their Successors with an Estate in Fee-Simple for the Use of such County-Court for ever.

Session
Laws

p. 41
Commis-
sioners to
purchase
Lands,
whereon to
build a
Court
House
for each
County.

And be it further Enacted, That the Justices of the several County-Courts of each of the said Counties shall, and are hereby authorized and impowered to assess and levy upon the taxable Persons of their respective Counties, in the same Manner as the County Charge hath been usually levied, so much Money as shall be necessary to pay for the Land so as aforesaid to be allotted, and to build a Court-House

Money to be
assessed for
Payment
of the said
Land.

Session on the said Land; *Provided always*, That the said Sums shall not
 Laws exceed the Sum of One Thousand Pounds Current Money in each
 County, to be levied by Three equal Assessments in the Years One
 Thousand Seven Hundred and Forty-three, One Thousand Seven
 Hundred and Forty-four, and One Thousand Seven Hundred and
 Forty-five.

And be it also Enacted, That the said Justices shall be authorized
 and empowered to contract for the Building of, and to cause a Court-
 House to be built in their respective Counties, on the said Lands.

Court- *And be it further Enacted, by the Authority, Advice, and Consent*
 House and *aforsaid*, That the Justices of *Somerset* County-Court shall within
 Lands of Six Months after the End of this Session of Assembly, expose to
Somerset public Sale by Way of Vendue, the present Court-House and Lands
 County to belonging to the County, to the highest Bidder, who shall give good
 be Sold by public Security to pay what he agrees for in Twelve Months, and that the
 Vendue. half of the Money the said Court-House and Lands shall be sold for
 shall be paid to the Justices of *Worcester* County-Court, and be by
 them applied to the Payment of the Public Charge of the said
 County; and the other half of the said Money shall be applied by the
 Justices of *Somerset* County to the Charge of the said County of
Somerset.

p. 42 *And be it further Enacted, by the Authority, Advice, and Consent*
 Courts. *aforsaid*, That the County-Court of the County of *Worcester* afore-
 said shall be held on the First Tuesdays of the Months of *March*,
June, *August*, and *November*, Yearly; and that the Assizes in the
 said County shall begin and be held on the Thursdays before the
 Assizes in *Somerset* County; and that the Assizes and County-Courts
 for *Somerset* County, after the last Day of *November* next, shall be
 held at *Princess Anne-Town* aforesaid; any Law, Usage, or Custom,
 to the contrary in any wise notwithstanding.

Liber An Act encouraging the raising of Copper Oar, Erecting of Stamp-
 B. L. C. ing Mills and Copper Works and making of Copper within this
 p. 269 Province.
 Ch. XX.

Whereas John Diggs by his Humble petition to this present
 General Assembly hath set forth that he hath undertaken a Copper
 Work which if it should Succeed will not only be of Advantage to
 him but also to the Publick and forasmuch in order to Carry on so
 Considerable a Work it will be absolutely necessary for him to Im-
 port or otherwise to retain in his service a great number of Experi-
 enced Workmen So that he must unavoidably be at a Vast Expence
 before he can bring such Work to any tolerable perfection so as to
 Reap any Benefit therefrom wherefore for his better Encouragement
 Be it enacted by the Right Honourable the Lord Proprietary by and
 with the Advice and Consent of his Lordship Governour and the
 Upper and Lower Houses of Assembly and the Authority of the

same that all such Workmen and Labourers as shall be by him Constantly Employed in the Carrying on such usefull and beneficial work or Works shall be Exempt from paying of Levies for the Term of Seven Years provided the number of such Workmen as shall be Levy free Exceed not fifty Taxable Persons And Whereas the making of Copper or Raising Copper Oar Within this Province will be Advantageous to the trade of Great Britain as well as beneficial to the Inhabitants of Maryland Be it enacted by the Authority Advice and Consent aforesaid that no Labouring person who shall be Employed in the Carrying on the aforesaid Copper Work or Works or in providing any materials of any sort Nature or kind soever for the furtherance and Carrying on the same, be Obligated to Clear or Assist in Clearing any High Ways or Roads or building of any Bridge or Bridges Except for the Conveniency of their Own Works or Serve in the Militia or be Obligated to attend at any Training or Musters Except upon Very Extraordinary Occasions provided such Labouring person or persons shall not at any time be Employed in making of Tobacco Corne or other Grain or other Planters Work.

Liber
B. L. C.

An Act for Raising a Duty of Three Half-pence Sterling *per* Hogshhead, on all Tobacco Exported out of this Province, for the use of the Governor.

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Laws
p. 42
Ch. XXI.

Whereas, his Lordship the Right Honourable the Lord Proprietary has been pleased to Constitute and Appoint his Excellency *Thomas Bladen*, Esq; his Lieutenant Governor in and over this his Province of *Maryland*, to whom we yield all due Deference; and the better to Demonstrate the good Respect we have for and towards the said *Thomas Bladen*, Esq; our present Governor, and the great Hopes and Expectation we have of his Excellency's good and mild Government over us, We most humbly pray that it may be Enacted,

Preamble.

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Imposition of Three Half-pence Sterling *per* Hogshhead, over and above the Duties already Imposed on the Export of Tobacco, upon all Tobacco that shall be Exported out of this Province, after the last Day of this Session of Assembly, by Land or by Water, and Three Half-pence Sterling upon every Four Hundred Pounds or Tobacco, be it in Chest or Case, to be Paid by the Master of every Ship or Vessel, or other Person Trading into or Living in this Province, in Sterling Money of *Great-Britain*, or Bills of Exchange, at the Election or Choice of the said Master or Others, to be Collected by the Naval Officer of the Port or District where such Ship or Vessel shall Enter, and to be paid by the Naval Officers aforesaid, to his Excellency *Thomas Bladen*, Esq; Lieutenant Governor in and over this Province, for his proper Use and better Support.

An additional Duty
on Tobacco
for the use
of the
Governor.

Session
Laws

And be it further Enacted by the Authority, Advice and Consent aforesaid, That if any Tobacco shall by any casualty be lost, after the aforesaid Imposition paid, that then and in all such Cases, the Owner or Owners of any such Ship or Vessel, or other Person paying the same, shall have free Liberty to Freight and Ship off the like quantity without paying the said Three Half-pence.

This Act to continue till the last Day of *October* which shall be in the Year of our Lord Seventeen Hundred and Forty-three, and no p. 43 longer.

Ch. XXII.
[Repeals
1747 Ch. 24]

An Act to enable the Rector, Vestry-men, and Church-wardens for the Time being, of *St. Anne's* Parish in *Anne-Arundel* County, to Lease certain Lots in the City of *Annapolis*, in manner and to the uses therein mentioned.

Preamble.

Whereas the Rector, Vestry-men, and Church-wardens of *St. Anne's* Parish in *Anne-Arundel* County, have, by their humble Petition, represented to this present General Assembly, that they are entitled to and possessed of Three several Lots in the City of *Annapolis*, Numbered respectively 59, 60, 61, according to a Survey of the said City, made by *James Stoddert*, in pursuance of an Act of Assembly of this Province, made and passed in the Year Seventeen Hundred and Eighteen, entituled, *An Act for Settling all Disputes concerning the Boundaries of the several Lots within the City of Annapolis, and Confirming the same to the respective Takers-up, Improvers, and Purchasers thereof, and for laying out Ten Acres of Land out of the Town Pasture into Twenty Lots more, to be added to the said City*, and that the said Lots had hitherto remained unimproved, and might do so for the future, for want of a Power in the Rector, Vestry-men and Church-wardens of the said Parish for the Time being, to Lease the same for Lives or Years, to such Persons as might be willing and desirous to receive such Lease of the Lots aforesaid, or some of them, and to Build on and otherwise improve the same; wherefore it was by the said Petition prayed, that Leave might be given to bring in a Bill to enable the Rector, Vestry-men and Church-wardens of the said Parish, for the Time being, to Lease and Demise the aforesaid Lots, or any of them, to any Person or Persons who shall be willing and desirous to take a Lease thereof, on such Conditions, Covenants, Provisoos, Agreements and Rents, as the Rector, Vestry-men and Church-wardens of the said Parish, for the Time being, and the Person or Persons who shall be willing to take the same, can agree upon, and for any Term not exceeding Three Lives, or Twenty-one Years, to the Use and Benefit of the Incumbent of the said Parish, for the Time being, and also at or before the Expiration or other Determination of any of the aforesaid Terms, from Time to Time the same to renew.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Gov-

ernor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall and may be lawful for the Rector, Vestry-men and Church-wardens of *St. Anne's* Parish in *Anne-Arundel* County, for the Time being, from Time to Time, to Grant, Lease, Demise, and to Farm Let, to any Person or Persons willing and capable to take the same, the aforesaid Three Lots of Land, numbered respectively as aforesaid 59, 60, 61, or any or either of them, or any Part of either of them, by Deed Indented and under the Hands and Seals of the said Rector, Vestry-men, and Church-wardens, for the Time being, or the major Part of them, and on such Conditions, Covenants, Provisoes, Agreements and yearly Rents, as the said Rector, Vestry-men and Church-wardens for the Time being, or the major Part of them, and the Person or Persons who shall from Time to Time be willing and desirous to take the same, or any of them, or any Part of either of them, shall agree upon, and for any Term not exceeding Three Lives, or Twenty-one Years, in any one Demise.

Session
LawsPower
given to
Lease 3
Lots in
Annapolis.

P. 44

And be it further Enacted by the Authority, Advice and Consent aforesaid, That the yearly Rents, Revenues and Profits of the Premises, be, and are hereby Enacted and Declared to be and belong to the Incumbent of the said Parish, for the Time being, for his sole and separate Use and Benefit, and to or for no other Use, Intent or Purpose whatsoever.

Yearly Rent
how apply'd.

Provided always, That when any of the said Leases or Demises shall expire, cease or determine, the Incumbent for the Time being, or any Person or Persons on his behalf, shall ask, demand and receive, of or from any Person or Persons whatsoever, either directly or indirectly, any Sum or Sums of Money, or other Goods or Effects, as a Fine or Fines for the Granting a new Lease or Demise of the Premises, or any Part thereof, which in value shall exceed One Years Rent in such new Lease or Demise to be reserved, that then and in such case, the new Lease or Demise so as aforesaid made, shall be as utterly void and of none effect, to all Intents, Constructions and Purposes whatsoever, as if the same had never been made.

Proviso.

Provided also, and be it Enacted, That if there shall at any Time hereafter happen to be a Vacancy in the said Parish for want of an Incumbent, that then and in such case, it shall and may be lawful to and for the Vestry-men and Church-wardens of the said Parish, for the Time being, or the major part of them, or any Person by them, or the major Part of them, to be appointed for that Purpose, to ask, demand and receive, of and from such Person or Persons from whom the same shall be payable, the several Rents to be reserved as aforesaid, accruing due during such Vacancy, and the same shall be by the Vestry-men and Church-wardens aforesaid, for the Time being, or the major Part of them, used and applied in the same manner, and

In case of a
Vacancy.

Session Laws to the same uses and purposes as the Forty *per* Poll on the like Occasion, by an Act of Assembly made and passed at a Session of Assembly begun and held at the City of *Annapolis*, on the Twenty-sixth Day of *April*, One Thousand Seven Hundred and Fifteen, entituled, *An Act to declare how the Forty Pounds of Tobacco per Poll in such Parishes where there is no Incumbent, shall be disposed of*, is directed to be applied; And also in case any of the Leases as aforesaid made, shall, during such Vacancy as aforesaid, expire, cease or determine, that then and in such case, it shall and may be lawful to and for the Vestry-men and Church-wardens of the said Parish, for the Time being, to renew or re-demise the same, in the same manner and to the same uses and purposes, and under the like restrictions as are herein before set forth concerning those made or to be made by the Incumbent, Vestry-men and Church-wardens of the said Parish; any Law, Statute, Usage or Custom, or any Thing herein before contained to the contrary thereof in any wise notwithstanding.

p. 45 *And be it further Enacted by the Authority aforesaid*, That the Lease to be entered on the Register Book. aforesaid Lease or Leases so as aforesaid to be made, shall, and are hereby directed to be within Three Months from the date thereof by the Clerk or Register of the said Parish, for the Time being, at the request of the Lessee, entered *verbatim* on the Register Book of the said Parish, and there to be viewed and perused by any Person desiring the same, and who shall on Payment of a reasonable Fee or Reward, have a Copy thereof, or of such Part thereof as such Person shall think proper, and for which Entry so as aforesaid to be made in the Register Book, the Clerk or Register shall have and receive the Sum of Five Shillings Current Money, and no more; and which Entry when made as aforesaid, shall be deemed, taken and construed to be as good and effectual to all Intents and Purposes, as if the same had been acknowledged and entered among the aforesaid City, County or Provincial Records; any Law, Usage or Custom to the contrary notwithstanding.

Ch. XXIII. An Act for laying out and erecting a Town, at a Place called *Long-Point*, on the West Side of *North-East River*, in *Cæcil* County.

Preamble. [Amended by 1744 Ch. 22, 1750 Ch. 12 and 1753 Ch. 28] Whereas, the Encouragement of Trade and Navigation is the surest Means of promoting the Happiness and encreasing the Riches of every Country, and that such Trade is with the greatest Ease and Advantage carried on, when the same is drawn into and fixed in one or more convenient Places, whereby it appears, that erecting Towns and granting proper Immunities and Privileges for the Encouragement of People to inhabit therein, must greatly contribute to so desirable an End, and there being as yet no such Place settled at or near the Head of *Chesapeak Bay*, although from the great Extent of the Country round, and the Want of navigable Water above

it, the same seems altogether necessary; It is therefore humbly prayed that it may be Enacted, Session Laws

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Col. Thomas Colwill, Capt. Nicholas Hyland, Mr. Benjamin Pearce, Mr. William Alexander, Mr. Henry Baker, Mr. Zebulon Hollingsworth, and Mr. John Read, be, and are hereby Commissioners appointed to put this Act in Execution.
 impowered, authorized, and appointed Commissioners to put this Act in Execution, according to the Directions hereafter mentioned; that is to say, That the aforesaid Commissioners, or the major Part of them, shall at some convenient Time, by them to be appointed and agreed upon, before the Twentieth Day of *May* next ensuing the End of this present Session of Assembly, meet upon a Parcel of Land commonly known by the Name of *Long-Point*, lying in *Cæcil* County, on the West Side of *North-East* River, and shall then, or at any other Time or Times to which they shall or may adjourn, with the Assistance of the Deputy-Surveyor of the said County, survey p. 46
 and lay out for a Town Two Hundred Acres of the Parcel of Land aforesaid, which shall to them, or the major Part of them, appear to be most fit and convenient for that Purpose, into Two Hundred convenient Lots, with proper Streets, Lanes, and Alleys; as also Three Hundred Acres of Land for a Common to the said Town, lying thereto contiguous, in such Manner as to them, or the major Part of them, shall seem proper, and the same Lots shall stake out, mark, and distinguish by the Number 1, 2, 3, and so on to the Number Two Hundred.

And be it further Enacted by the Authority aforesaid, That the Surveyor to make 2 Plats, with Certificates.
 Surveyor aforesaid shall make Two exact Plats, with Certificates particularly expressing the Lots, Streets, Lanes, and Alleys of the said Town, with their Numbers, Lengths, Breadths, and Names, of every of them, one of which Plats and Certificates, subscribed by the said Surveyor and aforesaid Commissioners, or the major Part of them, shall be delivered to the Governor for the Time being, and the other, subscribed as aforesaid, to the Clerk of the County aforesaid, to be by him safely kept, and the Certificate thereof enrolled amongst the Records of the same County, which said Plat and Certificate lodged in the Custody of the said Clerk, all Persons shall and may, by Virtue of this Act, have free Liberty to inspect without any Fee or Reward.

And be it further Enacted by the Authority aforesaid, That the Commissioners to agree with the owners, &c. about the price of the Land.
 Commissioners aforesaid, or the major Part of them, shall, and are hereby impowered to treat and agree with the Proprietor or Proprietors, Owner or Owners, or Persons interested in the Land aforesaid, so as aforesaid to be laid out into a Town and Common, or with the Agents, Factors, or other Persons authorized by them, for the Price

Session or Value thereof in Current Money of *Maryland*, at any Time before
 Laws the Twentieth Day of *May* aforesaid; but if it shall so happen, that
 the said Commissioners cannot agree with the said Proprietor or
 Proprietors, Owners, or other Persons, upon reasonable Terms, or
 that by reason of Absence, Coverture, Infancy, or other Disability
 or Impediment, such Agreement cannot be made, that then and in
 any such Case, the said Commissioners, or the major Part of them,
 are hereby authorized and empowered to issue their Warrant directed
 to the Sheriff of the County aforesaid, who is hereby required to
 execute the same, commanding him to summon Twenty-four of the
 best and most substantial Freeholders of the same County, in which
 Case, no Person who is by Law capable of giving a Vote for, or
 being elected as a Delegate, shall be exempted, to be and appear
 before the said Commissioners, or the major Part of them, on the
 Land aforesaid, on a certain Day in such Warrant to be mentioned,
 which Freeholders being by them the said Commissioners, or the
 major Part of them, charged and sworn, shall upon their Oath
 enquire, assess, and return what Damages and Recompence, in Cur-
 rent Money aforesaid, they shall think fit to be awarded for the
 aforesaid Five Hundred Acres of Land, to the Proprietor or Pro-
 prietors, Owner or Owners thereof, or other Persons interested
 therein; and whatever Sum or Sums of Money the same Jury shall
 p. 47 so assess and award as aforesaid, shall be, and is hereby declared to
 be the Value and Price of the same Five Hundred Acres of Land.

Commis- *And be it further Enacted*, That the Commissioners aforesaid, or
 sioners to the major Part of them, shall apportion, assess, and fix the Price of
 fix the Price all and every of the Lots aforesaid, according to the Value thereof,
 of Lots. having Regard to the Conveniency and Situation of each respective
 Lot, so always as the Prices of all the said Lots added together, may
 make up the Sum so as aforesaid to be awarded by the Jury aforesaid,
 or the Sum by them agreed for as aforesaid, and no more, and that
 the Prices so set and fixed shall be the Sums to be paid by the Takers-
 up of each of the said Lots.

200 Acres *And be it further Enacted by the Authority aforesaid*, That Two
 to be em- Hundred Acres of Land, so as aforesaid to be surveyed and laid out
 ployed in into Lots, immediately after the same shall be surveyed and laid out,
 building the shall be, and is hereby made and erected into a Town, and shall be
 Town, &c. called *Charles-Town*; and that the other Three Hundred Acres
 aforesaid to be laid out for a Common, shall and is hereby made and
 declared to be the Common of the said Town, and that all and every
 the Inhabitants of the said Town shall at all Times have and enjoy
 the free Use and Benefit thereof in Common.

Proprietors *And be it further Enacted by the Authority aforesaid*, That the
 to have the Proprietor or Owner of the Land aforesaid, to be erected into a
 choice of Town, shall either by him or her self, or by any other Person in his
 two Lots. or her Behalf, have Liberty to make choice of any Two of the afore-

said Lots before any of the said Lots shall be taken up by any other Person or Persons; *Provided* such Choice shall be made within Ten Days after the Land aforesaid shall be surveyed and laid out, and not otherwise. And to prevent any Partiality or Contest, in the first taking up of the Lots aforesaid, Session Laws

Be it Enacted by the Authority aforesaid, That the Commissioners aforesaid, or the major Part of them, as soon as conveniently may be after the Choice aforesaid shall be made by the Proprietor of the same Land as aforesaid, or after the Expiration of the Ten Days aforesaid, in case no such Choice shall be made, and after the Plats and Certificates aforesaid shall be made and returned as aforesaid, shall cause Advertisements to be set up at all public Places, as well in *Cæcil* County aforesaid, as in the neighbouring Counties in *Maryland*, and other adjacent Places, thereby giving Notice, that at a certain Day therein to be mentioned, not less than Three Weeks, nor more than Six Weeks from the Date of such Advertisements, the Lots of the said Town are to be taken up by Ballot or Lot, by any Persons whatsoever; and that on the Day so to be appointed, the said Commissioners, or the major Part of them, shall meet on the same Land or Town, and shall cause the Numbers of so many of the Lots aforesaid, as there shall be Persons then and there willing and desiring to take up Lots, beginning with the Lots on the River-side, and proceeding for the whole Breadth of the Town backwards, to be written on distinct Pieces of Paper, which shall be rolled up as near as may be of equal Size and Bigness, and having put the same into a Box or Vessel, every Person then present, other than the Proprietor or Owner aforesaid, shall be at Liberty to draw out one of the said Numbers, which Number being entered with the Clerk aforesaid, and the Drawer paying to the Proprietor or Owner of the same Land, his or her Factor or Agent, the Price so as aforesaid fixed and set upon the Lot, the Number whereof he or she hath so drawn, and complying with the other Requisites hereafter mentioned, shall, and is hereby declared to be absolutely seized in an Estate in Fee-Simple of and in such Lot, against the Lord Proprietary of this Province, and all other Persons whatsoever: And if it shall happen that all the Lots aforesaid be not taken up or drawn on that Day, then the said Commissioners, or the major Part of them, shall, and are hereby required to appoint another Day in the same Manner as herein before directed, for drawing and taking up the Residue of the said Lots, and shall proceed therein as herein before mentioned on the first Day aforesaid, and that all Persons who shall draw and take up any Lots on such second Day, and pay the Prices, and comply with the other Requisites aforesaid, shall have the like Estates, in such their Lots so drawn and entered as aforesaid, as the Drawers and Takers-up of Lots on the first Day are herein above declared to have: And if all the said Lots shall not be drawn and taken up on the second Day aforesaid, that then any Lots to be taken up by Ballot.

Session Laws Person whatsoever who had not before drawn or taken up any other Lot, shall and may be at Liberty to take up and enter as aforesaid any of the said Lots which shall so remain untaken up, and such Persons last mentioned paying the Prices of their respective Lots, and complying with the other Requisites aforesaid, shall have Estates in Fee-Simple therein as aforesaid.

Proviso. *Provided always*, That no Person whatsoever, the Proprietor or Owner of the said Land only excepted, shall be allowed to take up, draw, hold, possess, or enjoy above one of the Lots aforesaid, at any Time within Three Years after the laying out of the Town aforesaid.

Lots taken up to be entered with the County-Clerk. *And be it further Enacted by the Authority aforesaid*, That all and every Person and Persons who shall take up any of the Lots aforesaid, shall apply to the Clerk of Cæcil County-Court for the Time being, for Entries to be made of their respective Lots so taken up, which Clerk is hereby obliged and required carefully to enter in a Book by him to be kept for that Purpose, the Names of Persons taking up the said Lots, the Numbers of their respective Lots, with the Days of their being taken up, and the Receipts for Money by them respectively paid for their said Lots; for which Entries and a Copy thereof to be delivered to the Parties, every such Person shall pay to the said Clerk the Sum of Five Shillings Current Money, and no more.

Lots to be built upon in 3 Years after Taking up. *And be it further Enacted by the Authority aforesaid*, That all and every the Person and Persons aforesaid, taking up the Lots aforesaid, their Heirs, Executors, Administrators, and Assigns, shall be obliged to erect and build on such their respective Lots, within Three Years after the Date of the Entry thereof, so as aforesaid to be made, one good tenentable Dwelling-House, which shall cover Four Hundred Square Feet of Ground at least, exclusive of Sheds, with a Brick or Stone Chimney to every such House, and every Person neglecting or omitting to build as aforesaid, on his or her Lot, shall lose and forfeit his or her Right, Title, and Estate therein, and every such Lots so neglected to be built on as aforesaid, shall from and after the Expiration of the Three Years aforesaid, be liable to be taken up by any other Person whatsoever.

Lots not built on, may be taken up by a 2d Person. *And be it further Enacted by the Authority aforesaid*, That when and as often as any of the Lots aforesaid shall be forfeited for not being built on as aforesaid, either the first Taker-up thereof, or any other Person who shall incline to take the same up a-new, shall apply to the County Clerk aforesaid, and cause an Entry to be made by the said Clerk, of his or her taking up such Lot, in Manner as before directed, and shall likewise pay to the said Clerk the Price of such Lot, as before set and fixed, to be applied as herein after directed, together with the said Clerk's Fee as aforesaid, for such Entry and Copy thereof, and that such second Taker-up having so entered and paid for such Lots so taken up a second Time, and built thereon according to the Directions and within the Time before-

mentioned and limited, shall be seized of the like Estate of and in such Lot, as the first Takers-up of the said Lots are hereby declared to be, upon their complying with the Requisites aforesaid, and so *toties quoties* until all such Lots shall be built upon as aforesaid.

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Laws

And be it further Enacted, That if all the Lots aforesaid shall not be drawn and entered as aforesaid on the aforesaid Two Days, to be appointed for Ballotting the same, then it shall and may be lawful for any Persons whatsoever (except those who had already drawn and entered Lots as aforesaid) to take up and enter the same as before directed, and to pay the Prices thereof to the Clerk aforesaid, which together with the Building thereon as aforesaid, shall entitle such Takers-up to Fee-Simple Estates therein as aforesaid respectively.

And be it further Enacted, That the County Clerk aforesaid shall attend the Commissioners aforesaid in the Execution of what is required by this Act to be done, and shall make up and keep fair and just Entries of all their Proceedings, and of all the Lots to be taken up and paid for as aforesaid; and that the said Clerk for such his Attendance, shall be allowed Fifteen Hundred Pounds of Tobacco in the County Levy, and that the Surveyor aforesaid, for surveying and laying out the Town and Common aforesaid, making and returning Plats and Certificates thereof as aforesaid, and all other Services by him to be done in the Premises, shall have and receive the Sum of Two Thousand Pounds of Tobacco, to be assessed and allowed in the County Levy as aforesaid.

Duty of the
County-
clerk.

And be it further Enacted, That the Clerk aforesaid shall from time to time render just Accounts of, and pay to the Commissioners aforesaid, all the Money which he shall receive for the Prices of any of the Lots aforesaid, so as aforesaid directed to be paid to him, deducting therefrom the Commission of Two Pounds Ten Shillings *per Cent.* for all Sums by him so received and paid.

And be it further Enacted, That all and every Person and Persons taking up, holding, or possessing any of the Lots aforesaid, shall pay yearly for every such Lot to the Right Honourable the Lord Proprietary of this Province, or his Agent or Receiver here for the Time being, for the Use of his Lordship, Two-pence Current Money of *England*, in full Consideration for the Yearly Rent of the Five Hundred Acres of Land aforesaid.

p. 50
Two-pence
Sterling *per*
annum to be
paid for
each Lot.

And be it further Enacted by the Authority aforesaid, That the Commissioners aforesaid, or the major Part of them, in laying out the Town aforesaid, shall in the most proper and convenient Place thereof cause to be laid out, and ascertain one or more square and convenient Lots, or Pieces of Ground, for building a Court-House, Market-House, and other public Edifices on, as they, or the major Part of them shall think proper, which Lot or Lots is and are hereby declared, at all Times hereafter, to belong to the Public for the Uses aforesaid, and to no other Use or Purpose whatsoever.

Lots for
public
Edifices.

Session
Laws

And Whereas, the present Incumbent of the Parish, wherein the said Town and Common is to be laid out, has signified his Willingness and Consent to exempt all Persons actually living and residing within the Bounds of the said Town-Land, from the Payment of the Forty *per* Poll, and as such Privilege or Exemption may greatly encourage Persons of all Professions, Religions, Perswasions, Trades, or Occupations whatsoever, to build and settle in the said Town, and much conduce to the better peopling and seating the adjacent Lands, now uncultivated in the said Parish, to the equal Benefit to the Incumbents thereof,

Inhabitants
to be ex-
empted
from the 40
per Poll, &c.

Be it therefore Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That all and every Person and Persons whatsoever, actually residing or dwelling in the said Town, their Servants and Slaves likewise actually residing there, shall, during such his, her, or their Residence, be exempted and discharged from the Forty *per* Poll granted to the Episcopal Clergy of this Province, and all other parochial Taxes, Charges, and Dues whatsoever.

And be it further Enacted, That the Inhabitants of the same Town, after one Year's Residence therein, shall and are hereby declared and adjudged to be Residents of this Province, and shall have and enjoy all the Rights, Privileges, Immunities, and Exemptions of Residents, by Virtue of any the Acts of Assembly of this Province, or otherwise; any Law, Statute, or Usage, to the contrary notwithstanding.

On Demise
of any of
the Com-
missioners
new ones to
be chosen.

And be it further Enacted, That when and as often as any of the Commissioners aforesaid shall die, remove from the County aforesaid, or refuse or neglect to join in the Execution of this Act, then and in any such Case, the major Part of the other Commissioners aforesaid, shall choose others in the Place of such who shall die, refuse, remove or neglect as aforesaid, and such Person or Persons so chosen shall have equal Power to act as the other Commissioners herein mentioned, and that the Power and Authority of the said Commissioners shall continue, until all Things by them directed by this Act to be done, shall be compleated and finished; and that all Moneys herein before directed to be paid to them by the Clerk aforesaid, shall be applied to the Building or repairing of public Buildings, Wharfs, or other public Uses of the said Town, as the said Commissioners, or the major Part of them, shall think fit.

p. 51

Ch. XXIV. An Act to enable his Excellency *Thomas Bladen*, Esq; or the Governor for the Time being, to Purchase Four Acres of Land within the Fence of the City of *Annapolis*, for the Use of the Public, and to Build thereon a Dwelling House and other Conveniencies for the Residence of the Governor of *Maryland* for the Time being, and to Repeal part of other Acts therein mentioned.

Preamble.

Whereas by an Act entituled, *An Act for laying out and applying Three Thousand Five Hundred Pounds Current Money of Mary-*

land, to the uses therein mentioned, as also an Act entituled, *An Act for the explaining and carrying into Execution an Act entituled An Act for laying out and applying Three Thousand Five Hundred Pounds Current Money of Maryland, for the uses therein mentioned*, as also by another Act entituled, *An Act for the further explaining and carrying into Execution an Act for laying out and applying Three Thousand Five Hundred Pounds Current Money of Maryland to the uses therein mentioned*, the Honourable *Samuel Ogle*, Esq; late Governor of this Province, was by the said Acts im-
 Session
 Laws
 powered and authorized to Purchase for the use of the Public, and the Building a Dwelling-House, Out-Houses and other Conveniencies for the Residence of the Governor of this Province for the Time being, not only any Land or Ground which may be or esteemed to be within the Fence of the City of *Annapolis*, not exceeding Four Lots, but also any Land or Ground without the said Fence, not exceeding in the whole the quantity of One Hundred and Fifty Acres. And whereas the said *Samuel Ogle*, Esq; hath not Purchased any Lands according to the Directions of the said Acts, and is now removed from this Province, whereby the Powers and Authorities by the before mentioned Acts vested in him, cannot now be by him performed and perfected: It is therefore humbly prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That his Excellency *Thomas Bladen*, Esq; Governor of *Maryland*, or the Governor for the Time being, may, and he is hereby Impowered and Authorized to Purchase for the Use of the Public of the Province of *Maryland*, and the Building thereon a Dwelling-House, Out-Houses and other Conveniencies, for the Residence of the Governor of this Province for the Time being, any quantity of Ground within the Fence of the City of *Annapolis*, either in the Old Town, the Addition thereto, or the Town Common or Pasture, any Quantity of Land so as the same exceed not the Quantity of Four Acres, to be inclosed or used as Gardens, Yards, or other Conveniencies for the Buildings aforesaid.

Governor
 impowered
 to purchase
 Lands, &c.

p. 52

And be it likewise Enacted by the Authority aforesaid, That the said *Thomas Bladen*, Esq; or the Governor for the Time being, who shall Purchase such Land or Ground and Pay for the same, according to the Directions and Intention of this Act, shall and may, and he or they are hereby Impowered, Authorized and Directed, to cause the said Quantity of Four Acres of Ground to be surveyed and laid out by the Surveyor of *Anne-Arundel* County for the Time being, and the same to be Butted and Bounded by good Locust Posts, or large Stones at each Corner, and a Certificate of such Survey to return in the Mayor's Court Office of the City aforesaid, there to be Recorded amongst the Records of the Court aforesaid; also a Dupli-

Governors
 to cause the
 said Land
 to be sur-
 veyed, &c.

Session cate thereof to be returned into the County Court Office, there to be
 Laws Recorded amongst the Records of *Anne-Arundel* County.

And be it likewise Enacted by the Authority aforesaid, That the said *Thomas Bladen*, Esq; or the Governor for the Time being, shall, and he or they are hereby further Impowered, Authorized and Directed, to Agree, Pay for, and Purchase out of the Money heretofore appointed, Four Acres of Ground as aforesaid, and to take a Deed of Bargain and Sale from the Vender or Venders of the same (expressing therein the Consideration paid, and the Meets and Bounds as aforesaid directed to be made) in his own Name for the Use of the Public of *Maryland*, for the Building aforesaid, and such Deed cause to be Acknowledged and Recorded in the Provincial Office of this Province, according to the Directions of the Act of Assembly in that case made and provided.

And be it further Enacted by the Authority aforesaid, That such Purchase, Payment, and the Deed as aforesaid, and this Act, shall vest in his said Excellency *Thomas Bladen*, Esq; or the Governor of the Province of *Maryland* for the Time being, for Ever, an absolute Estate in Fee Simple, for the Use of the Public of the said Province of *Maryland*, and for the Uses aforesaid, and to and for no other Use, Intent, Meaning or Purpose whatsoever, as well against the Right Honourable the Lord Proprietary of this Province, his Heirs and Successors, as also against all manner of Persons and Claims whatsoever.

And be it likewise further Declared and Enacted by the Authority aforesaid, That upon the Purchase, Payment, Acknowledgement and Recording aforesaid, by him the said *Thomas Bladen*, Esq; or the Governor for the Time being, and Vender or Venders so as aforesaid made and done, the said *Thomas Bladen*, Esq; or the Governor of *Maryland* for the Time being, for ever, shall stand seized of, and they are hereby vested with, an absolute and indefeasible Estate of Inheritance in Fee Simple, of, in and to the aforesaid Four Acres of Ground so as aforesaid directed to be purchased to and for the Use of the Public of the Province of *Maryland*, and to and for the Uses and Purposes in this Act herein before and hereafter directed and appointed, as well against the Right Honourable the Lord Proprietary of this Province, his Heirs and Successors, as against all manner of Persons and Claims whatsoever.

And whereas by an Act passed as a Session of Assembly, held at the City of *Annapolis* the Thirteenth Day of *March* One Thousand
 p. 53 Seven Hundred and Thirty Two, entituled, *An Act for emitting and making Ninety Thousand Pounds Current Money of Maryland in Bills of Credit*, a Sum not exceeding Three Thousand Pounds in the said Bills of Credit, is directed to be applied to purchase convenient Ground for the Use of the Public, and Building a Dwelling-

House and other Conveniencies for the Governor of this Province for the Time being to reside in: Session Laws

Be it therefore Enacted by the Authority aforesaid, That the Commissioners or Trustees for Emitting Bills of Credit established by Act of Assembly, shall and may issue and pay unto the said *Thomas Bladen*, Esq; or the Governor for the Time being, the said Three Thousand Pounds in Bills of Credit, or so much thereof as remains in their Hands unapplied to the Use aforesaid, or according to his or their Order and Direction for the Purchase and Building aforesaid.

And be it further Enacted, That the said *Thomas Bladen*, Esq; or the Governor of this Province for the Time being, may, by virtue of this Act direct and appoint the Building a Dwelling-House, Out-Houses, and other Conveniencies for the Residence of the Governor of this Province for the Time being, upon the Ground or Lots so as aforesaid directed to be Purchased, and that the Commissioners or Trustees appointed for Emitting Bills of Credit established by Act of Assembly, shall and may issue and pay a further Sum not exceeding One Thousand Pounds in Bills of Credit, according to the Directions of the said *Thomas Bladen*, Esq; or the Governor of this Province for the Time being, towards the perfecting and finishing the Buildings and Conveniencies aforesaid. Governor to direct in the Building, &c.

And be it likewise Enacted by the Authority aforesaid, That the aforesaid Act of Assembly of this Province, entituled, *An Act for laying out and applying Three Thousand Five Hundred Pounds Current Money of Maryland to the Uses therein mentioned*, as also the *Act for explaining and carrying into execution an Act, entituled, An Act for laying out and applying Three Thousand Five Hundred Pounds Current Money of Maryland for the Uses therein mentioned*, and likewise an Act, entituled, *An Act for the further explaining and carrying into Execution an Act for laying out and applying Three Thousand Five Hundred Pounds Current Money of Maryland to the Uses therein mentioned*, shall be, and they are hereby Abrogated, Repealed, made Null and Void, so far as relates to the Powers and Authorities in the said several Acts, or any of them, given to the said *Samuel Ogle*, Esq; to purchase for the Use of the Public of *Maryland*, Land or Ground for the Building a Dwelling-House, Out-Houses, and other Conveniencies, for the Residence of the Governor of this Province for the Time being, or touching the Building aforesaid by him the said *Samuel Ogle*, Esq; or the Governor for the Time being. Former Acts repealed.

And be it further Enacted by the Authority, Advice and Consent aforesaid, That the Purchasing the said Four Acres of Land, inclosing the same, as also the Building thereon a Dwelling-House, Out-Houses, and other Conveniencies for the Residence of the Governor of *Maryland* for the Time being, shall not exceed the Sum of Four

Session Laws p. 54 Thousand Pounds Current Money of *Maryland*, as herein and before applied and granted to and for the Uses and Purposes aforesaid.

Ch. XXV. An Act for the Assessment and Payment of the Public Charge of this Province.

Preamble. Whereas, there is the Sums of Four Hundred Seventy-four Pounds Fifteen Shillings and Six Pence Current Money, and Six Hundred and Seven Thousand Six Hundred and One Pounds of Tobacco, due from the Public of this Province to the several Creditors thereof, as appears by the Journal of Accounts Assented to by both Houses of this present Session of Assembly: For the Discharge and Payment whereof,

Sums to be levied. *Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Sums of Four Hundred Seventy-four Pounds Fifteen Shillings and Six Pence Current Money, and Six Hundred and Seven Thousand Six Hundred and One Pounds of Tobacco, together with a Salary of Five Pounds per Cent. thereon, for Collection, to the several Sheriffs who shall collect and pay the same, shall be Assessed and Levied from the several Taxable Inhabitants of this Province, by an equal Levy or Assessment this Year.*

Names of the Persons who compose the Committee. *And be it further Enacted by the Authority aforesaid, That the Honourable Edmund Jennings, Esq; Col. Charles Hammond, Philip Thomas, Esq; and Daniel Dulany, Esq; of the Upper House, and that Mr. Philip Hammond, Dr. Charles Carroll, Mr. Henry Hall, and Mr. Thomas Worthington, of the Lower House of Assembly, or the major Part of them, be, and are hereby appointed, a Committee to meet together at the City of Annapolis, on the Tenth Day of November next, then and there to Assess and Apportion the aforesaid Sums of Money and Tobacco, with the Salary aforesaid thereon, by even and equal Portions, on the Taxable Inhabitants aforesaid, and particularly to Order and Direct how much thereof shall be Levied and Collected by the Sheriff of each respective County, and to what Persons, being Public Creditors, the respective Sheriffs shall Pay the same, and a fair Journal of all and singular their Proceedings in the Premises, to make and deliver to the Clerk of the Lower House of Assembly, to be laid before the next General Assembly thereafter to be held for this Province.*

And whereas by an Act of Assembly, entitled, *An Act for issuing and paying out of the Office of the Commissioners or Trustees for Emitting Bills of Credit established by Act of Assembly, the Sum of Two Thousand Five Hundred and Sixty-two Pounds Ten Shillings Current Money in Bills of Credit, for the Encouragement of Persons voluntarily Inlisting themselves in his Majesty's Service,* it is Enacted, That one Third Part of the said Sum of Two Thou-

sand Five Hundred Sixty-two Pounds Ten Shillings, or so much thereof as should be applied to the Uses in the said Act mentioned, should be Taxed on the Taxable Inhabitants of this Province in the Public Levy this Year. Session Laws

Be it Enacted by the Authority aforesaid, That the said Committee, or the major Part of them, shall settle and assess one Third Part of so much of the last mentioned Sum of Money, as shall to them appear to have been applied according to the Direction of the said Act of Assembly, on the Taxable Inhabitants aforesaid, by equal Portions, together with and in the same manner as the aforesaid first mentioned Sum of Money is hereby before directed to be Assessed and Apportioned. p. 55

And be it further Enacted, That the several and respective Sheriffs aforesaid, shall, and are hereby obliged to collect and levy so much of the aforesaid Sums of Money, and Tobacco, as to them shall respectively by the Committee aforesaid, be appointed, and the same to pay to the several Persons, and in such Proportion, as by the said Committee, or the major Part of them, shall be directed. Sheriffs to collect the aforesaid Sums.

And be it further Enacted by the Authority aforesaid, That the said Sums shall and may be Collected and Levied by way of Execution, in such manner as the County Levies are usually Collected: Always Saving to the good People of this Province their Right in Discharging the Tobacco Assessments in Current Money as by the Laws of this Province are provided.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY
OF THE
PROVINCE OF MARYLAND

*At a Session held at Annapolis May 1-June 4, 1744
Being the Second Session of the Assembly elected in 1742*

CHARLES CALVERT, LORD BALTIMORE
Proprietary

THOMAS BLADEN
Governor

PROCEEDINGS
THE UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the first Day of May in the thirtieth Year of his Lordships Dominion Annoq Domini 1744

U. H. J.
No. 34
p. 1

Present

His Excellency Thomas Bladen Esquire Governor

The hon ^{ble}	{	Benjamin Tasker Esq ^r	}	Philip Thomas Esq ^r
		Col ^t . George Plater		Daniel Dulany Esq ^r
		Col ^o James Hollyday		Col ^o Edward Lloyd
		Col Charles Hammond		

Mess^{rs} King and Weems from the Lower House acquaint his Excellency that there is a Sufficient number of Members met to make a House and wait his Excellencys Commands

Col^o Hammond and Daniel Dulany Esq^r are sent to acquaint the Lower House that his Excellency requires the Speaker and the House to attend him in the Upper House.

U. H. J. The Speaker and the Lower House attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I should have gladly met you some Months sooner, but the daily Expectation of receiving an Answer from his Lordship to your Address relating to his Quit Rents, made me defer this Session so long, that the Winter was too far advanced to think of calling you together in so bad a Season

Gentlemen of the Lower House

Their Excellencies the Lords Justices, upon considering the uncertain State of Affairs in Europe, and the more than Probability of Great Britains being engaged in a French War sent me some Months since repeated Orders to put the Militia of this Province into the best Condition possible, and to be upon our Guard against any Surprize that might be attempted upon Us by the French and by those Orders it is Expected, that our Forces should not only be able to Act defensively but even Attack Our Enemies, if it be thought necessary

The Advices We have very lately received from England, of his Majestys British Dominions being threatned with an Invasion confirm the Prudence of those Orders, and call upon us for the strongest Testimonies of Our Duty and Affection to his Majestys Person and Government, I must therefore In the most earnest manner recommend to You two Measures absolutely necessary for Purposes so necessary to Our own Preservation, and the security of this Part of his Majestys Dominions One is that a proper Law be thought of for making the Militia more serviceable, the present Acts being extremely defective, and the Other, that a Provision for Arms and Ammunition be made in the usual manner, and agreeable to the late
p. 2 Act for that Purpose which expired some [Years] since, the Money raised by that Fund being very near if not entirely exhausted These are necessary Measures even in peaceable times and if not taken at this Juncture, it will be impossible to answer the Expectations conceived of you, or give Proofs of that Duty to your Sovereign and Affection to Your Country, which Every good Subject must think himself [bound] to, by the most sacred Ties

As for my own Part, my zeal for his Majestys Service and sincere Wishes for the Welfare and Quiet of this Province, oblige me to declare that unless A Law, for Supply of Arms and Ammunition, be made in the manner I have mentioned, it cannot be expected this Province should be put into a Condition capable of defending it self, or that We can possibly avoid falling again into those unhappy Misunderstandings, which so long subsisted before my Arrival I need not tell you such a situation of Affairs, whereby a Stop will be put to all Publick Business, must be extremely dishonourable as well as dangerous to this Country but from the Motives I have urged to you,

the Sense of Our Duty to his Majesty, and Regard for our own U. H. J. Security, I hope this Session will be remarkable for its Unanimity and Zeal for the Protection and Happiness of this Province.

I shall Order the Lord Proprietarys Answers to your Addresses to be laid before You and also the Orders I have had the Honour to receive from their Excellencies the Lords Justices

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 2^d May 1744

May 2

This House met again according to Adjournment

Present as Yesterday

Mess^{rs} Stoughton and Gale attend with Mess^{rs} John Henry, John Purnell Thomas Robins and Parker Selby Members elected for Worcester County in Order to see them qualified who take the Oaths to the Government appointed to be taken by Act of Assembly and subscribe the Abjuration and Test and then withdrew

The Governor communicated to this House the following Answer of the Lord Proprietary viz.

The Lord Proprietors Answer to the Address of the Gentlemen of the Upper House of Assembly in Maryland
Gentlemen of the Upper House of Assembly

I thank you for your kind and Obliging Address and You may be Assured that the Prosperity of every part of his Majestys Dominions as a grateful and dutyful Subject, will have my most sincere Wish and Attention, but more particularly that of the Province of Maryland
C Baltimore

Given at London this 12th of August 1743

By his Lordships Command John Browning Secretary

Benjamin Tasker Esq^r attended by the Members of this House presents to his Excellency the Governor their Address which follows in these Words.

To His Excellency Thomas Bladen Esquire Governor and Com- p. 3
mander in Chief in and over the Province of Maryland

The humble Address of the Upper House of Assembly
May it please your Excellency

We return You Our unfeigned thanks for the Speech you was pleased to make to both Houses of Assembly and gratefully acknowledge your not calling us together in the Winter Season as an Instance of that tender Regard inseperable from an humane Temper and Disposition, And We do Assure Your Excellency that We shall always be ready to give the strongest Proofs of our Loyalty and Duty to Our Sovereign as well as of Our Affection to Our Country,

U. H. J. by contributing everything in Our Power to the security of this Part
of his Majestys Dominions and the happiness of our fellow Subjects

Benj. Tasker, President

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Message from the Lower House by Mess^{rs} Sheredine and
Weems

By the Lower House of Assembly 2^d May 1744

May it please Your Honours

This House hath appointed Col^o Colville Captain Sheredine
M^r Pemberton, M^r Weems and M^r Philip Hammond to Join any
Member or Members Your House shall appoint in a Committee to
inspect the Accounts and Proceedings of the Commissioners or Trus-
tees for emitting Bills of Credit, established by Act of Assembly

Signed p order M Macnemara Cl lo. Ho.

The following Message is sent by Col^o Lloyd

By the Upper House of Assembly 2^d May 1744

Gentlemen

This House hath named George Plater Esq^r to join the Members
appointed by your House in a Committee to inspect the Accounts and
Proceedings of the Commissioners of the Paper Currency Office

Signed p Order J Ross Cl Up Ho.

Adjourned till to Morrow Morning ten of the Clock

May 3

Thursday Morning 3^d May 1744

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

His Excellency is pleased to communicate his Answer to the
Address of this House in the following Words.

Gentlemen of the Upper House of Assembly

p. 4 I thank You for Your Address and make no Doubt of your Zeal
for his Majestys Service and the Safety and Happiness of this
Country T Bladen

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 4th May 1744

U. H. J.
May 4

This House met again according to adjournment

Present as Yesterday with the Addition of Samuel Chamberlain Esq^r

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 5th May 1744.

May 5

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by M^r Colvill and thirteen others Entituled an Act for raising four pence Sterling p^{er} hh^d on all Tobacco to be exported for purchasing Arms and Ammunition for the Defence of this Province thus Endorsed

By the Lower House of Assembly 4th May 1744

Read the first time and Ordered to lie on the Table

Signed p^{er} Order M Macnemara Cl^{erk} lo Ho.

By the Lower House of Assembly 5 May 1744

Read the second time and will Pass

Signed p^{er} Order M. Macnemara Cl. lo Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till Monday Morning ten of the Clock

Monday Morning 7th May 1744

May 7

This House met again according to Adjournment

Present

the honble	{	Benjamin Tasker Esq ^r	}	Samuel Chamberlain Esq ^r
		Col ^o George Plater		Daniel Dulany Esq ^r
		Edmund Jennings Esq ^r		Col ^o Edward Lloyd
		Col ^o James Hollyday		

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
May 8

Tuesday Morning 8th May 1744

This House met again according to Adjournment

Present as Yesterday with the Addition of Col^o Hammond and Philip Thomas Esq^r

- p. 5 Read the following Petitions viz. The Petition of the Upper and Remote Inhabitants of King George Parish in Prince Georges County praying Leave to bring in a Bill to levy on the taxable Inhabitants of the said Parish the sum of two hundred and fifty Pounds for Building a Chappel of Ease, the Petition of the Parishioners of Prince Georges Parish in Prince Georges County praying an Act may pass to prevent the Ruin of the Present Chappel built in the said Parish by making the same a Chappel of Ease, The Petition of the Justices and several of the Inhabitants of Prince Georges County praying Leave to bring in a Bill to raise a Sum not exceeding two Thousand Pounds to build them a new Court house, which were referred to the Consideration of the Lower House of Assembly and sent by Daniel Dulany Esq^r

Read the Petition of George Riddle of Charles County Merchant praying that an Act may pass enabling the Treasurer to pay him the Sum of Seventy Pounds Current Money, the Worth of a Negro Slave named James adjudged by the Justices of Charles County before whom the said Slave was convicted of Felony; but who, since his Conviction, broke Prison, and is not since retaken Rejected

Read the Petition of Elizabeth Hanson of Charles County Widow, Ordered that the Heirs of Anne Correll have a Copy of the said Petition and that the said Elizabeth Hanson give them Notice to attend next Session of Assembly.

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Gale and Goldsborough Entituled an Act reviving an Act for the Benefit of the Poor and Encouragement of Industry thus Endorsed

By the Lower House of Assembly 7 May 1744

Read the first time and Ordered to lie on the Table.

Signed p Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 7 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Cl lo Ho.

Read the first time in this House and Ordered to lie on the Table

Read the following Petitions viz. the Petition of the Magistrates and sundry Inhabitants of Saint Marys County praying a Bill may

be brought in to raise a Sum of Money on the taxable Inhabitants U. H. J. of the said County for building an Hospital and Work house at Leonard Town in the said County The Petition of sundry the Inhabitants of Saint Marys County praying a Bill may be brought in to prohibit the making of seconds or directing a certain quantity of Tobacco to be burned Yearly; The Petition of sundry Inhabitants of Talbot County praying a Consideration of the said Petition setting forth the Advantage the Colony of Virginia has reaped by their Inspecting Law for bettering their Staple, The Petition of sundry Inhabitants of that Part of Stephney Parish that is in Worcester County and that part of Allhallows Parish that lies to the East and North East of Saint Martins River in the said County praying that a p. 6 new Parish may be erected within the said Limits and to take Place at the Death or Removal of the present Incumbent and that the new Parish when divided may be called Saint Augustines Parish. The Petition of the Takers up of the Lotts in Charles Town in Cecil County praying Leave to bring in a Bill to enable them to erect a Publick Wharf and Warehouse therein, The Petition of the Sheriff Magistrates Grand Jurymen and others Inhabitants of St. Marys County praying that an Act may pass empowering Persons to divide the said County into so many Parishes as they shall judge convenient to be the future Parishes therein for ever, the Act to take Place after the Death of the present Incumbents, The Petition of sundry the Inhabitants on the Upper side of the Eastern Branch of Potomack River in Prince Georges County praying a Bill may be brought in to divide the said County near the said Branch and that A Court House may be built near Wickhams Plantation or at some other Place as the Majority of the Freeholders of the said County shall appoint Referred to the Consideration of the Lower House of Assembly and sent by Samuel Chamberlain Esq^r

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 9 May 1744

May 9

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill entituled an Act for raising four Pence Sterling p hhd on all Tobacco to be Exported for purchasing Arms and Ammunition for the Defence of this Province, and will pass with the following Amendments; After the Word, raised in the last Line but one of the first Page to the end of the Bill to be left out, and the following Clauses to be incerted; Which said Duty shall be disposed of for the purchasing of Arms and Ammunition for the maintaining a Magazine for the better defence of this Province and for the due Preservation thereof and paid to the Treasurer or

U. H. J. Treasurers of this Province for the time being, who shall be allowed two and a half p Cent for the Receipt and Payment thereof and to be disposed of to the Uses aforesaid as the Governor and Council for the time being shall direct for the Collection whereof the Naval Officers shall be allowed the Salary of Eight p Cent and no more

And Be it further Enacted by the Authority aforesaid that the Several and respective Treasurers shall from time to time make and render to both Houses of Assembly of this Province sufficient and clear Accounts of what Money they shall receive by Virtue of this Act and how the same shall have been disposed of

This Act to continue to the 25th day of December which shall be in the Year of Our Lord 1745 and no longer

Sent by Philip Thomas Esq^r

Read the second time the Bill entituled an Act reviving an Act Entituled an Act for the Benefit of the Poor and Encouragement of Industry passed and sent by Col^o Hollyday

Adjourned till three of the Clock in the Afternoon

p. 7

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Worthington and Purnell Entituled an Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals guilty of the said Offences thus Endorsed.

By the Lower House of Assembly 5 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 9 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table.

A Message from the Lower House with the Bill for Arms and Ammunition by Mess^{rs} Waughop and Hyland

By the Lower House of Assembly 9 May 1744

May it please your Honours

After the most serious Consideration had upon the Amendments You proposed to the Bill Entituled an Act for raising four Pence Sterling p hhd on all Tobacco to be Exported for purchasing Arms and Ammunition for the Defence of this Province, We cannot agree to any of them, nor other Alteration than the reducing the Commission which is to be paid to Col^o Edward Sprigg to two and a half per Cent being well satisfied that the said Bill in the form We sent

it up to your Honours contains every thing necessary for his Majestys service, and the security of the Province Agreeable to the Intention thereof And therefore from a Tenderness which we have that the said Bill should pass into a Law, return it to your Honours again, and hope the Bill will meet your Approbation; and pass your House accordingly Signed p Order M Macnemara Ct Lo Ho. U. H. J.

Adjourned till to Morrow Morning Ten of the Clock.

Thursday Morning 10th of May 1744

May 10

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess^{rs} Goldsborough and Hall Entituled an Act for Limitation of Officers Fees thus Endorsed

By the Lower House of Assembly 7 May 1744

Read the first time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 10 May 1744

Read the second time and will pass

p. 8

Signed p Order M Macnemara Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table.

A Bill from the Lower House by Mess^{rs} Purnell and Selby Entituled an Act to encourage the Destroying Bears in Worcester County thus endorsed

By the Lower House of Assembly 9 May 1744

Read the first time in this House and Ordered to lie on the Table.

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 10 May 1744

Read the second time and will pass

Signed p order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table.

An Engrossed Bill from the Lower House by Mess^{rs} Wootton and Wilkinson Entituled an Act reviving an Act of Assembly entituled an Act for the Benefit of the Poor and Encouragement of Industry thus subscribed

9th May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo. Ho.

Read and Assented to by this House and Ordered to be so subscribed

U. H. J. The following Message with the Bill for Arms and Ammunition is sent to the Lower House by Col^o Hammond

By the Upper House of Assembly 10 May 1744
Gentlemen

In Answer to your Message of the 9th Instant by Mess^{rs} Waughop and Hyland, We do assure You that we are so very desirous of having a Fund to supply the Country with Arms and Ammunition for its necessary defence in this critical Juncture, that nothing could give us greater Pleasure then concurring in a Law for that desireable Purpose, But as the Bill is liable to the very same Objections that are mentioned in Our Message of 18th of June 1741 to a Bill of the same Nature with the present Bill, so we cannot consent to this Bill but with the Amendments proposed.

Signed p Order J Ross Cl Up Ho.

A Bill from the Lower House by Mess^{rs} Colville and Pearce Entitled an Act for dividing St. Stephens alias North Sassafras Parish in Cecil County thus Endorsed

By the Lower House of Assembly 10 May 1744

Read the first and second time by especial Order and will pass

Signed p Order M Macnemara Cl Lo Ho.

Read the first time in this House and Ordered to lie on the Table.

A Bill from the Lower House by Mess^{rs} Gordon and Broome Entitled an Act Continuing an Act Entitled an Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned thus Endorsed

By the Lower House of Assembly 8 May 1744

p. 9 Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Cl lo Ho.

By the Lower House of Assembly 10 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Cl lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Wootton and Ennalls Entitled an Act for making a Chappell already erected in Prince Georges Parish in Prince Georges County a Chappell of Ease thus endorsed.

By the Lower House of Assembly 10 May 1744

Read the first and second time by especial Order and will pass.

Signed p Order M Macnemara Cl lo. Ho.

Read the first time in this House and Ordered to lie on the Table.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.

This House met again according to Adjournment

Present as in the Morning

Read the Petition of James Richard of Baltemore County Merchant praying Leave to bring in a Bill for his Naturalization, referred to the Consideration of the Lower House of Assembly.

A Bill from the Lower House by Mess^{rs} Gresham and Swann Entituled an Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other Slaves; for the trying and more effectual Punishment of Negroes and Other Slaves and for taking away the Benefit of Clergy from Horse Stealers and other Offenders thus Endorsed

By the Lower House of Assembly 8 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo. Ho.

By the Lower House of Assembly 10 May 1744

Read the second time and will Pass.

Signed p Order M Macnemara Ct Lo. Ho.

Read the first time in this House and Ordered to lie on the Table.

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 11th May 1744

May 11

This House met again according to Adjournment

Present as Yesterday

Read the Petition of the Visitors of the Free School in Somerset County praying Leave to bring in a Bill Enabling them to sell the Land whereon the School House is already Built and to purchase other Lands for the same Uses in Princess Anne Town, The Petition of some of the Purchasors of the Lotts in Bladensburgh in p 10 Prince Georges County praying a further Time for the Improvement of their Lotts pursuant to the Act for laying out the said Town

The Petition of the Vestry of Queen Anns Parish in Prince Georges County praying Leave to bring in a Bill to Levy the sum of two hundred Pounds Currency upon the Taxable Persons of the said Parish by two equal Assessments to repair their Church and Chappel, The Petition of sundry the Inhabitants of the Upper part of Worcester County praying a Bill may be brought in to erect a Town near Synapuxon Inlett and the Indian River; The Petition of several the Inhabitants of Upper Marlborough Town in Prince Georges County praying Leave to bring in a Bill to lay out the said

U. H. J. Town a new, Referred to the Consideration of the Lower House of Assembly and sent by Col^o Lloyd.

A Bill from the Lower House by Mess^{rs} Gresham and Smith Entitled an Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer thus Endorsed

By the Lower House of Assembly 8 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 11 May 1744

Read the second time and will pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table

Mess^{rs} Ennalls and Hindman attend with M^r Henry Trippe a Member Elected for Dorchester County in order to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test, and then withdrew

Read the second Time the Bill entitled an Act for making a Chappel already erected in Prince Georges Parish in Prince Georges County a Chappel of Ease, passed and sent by Philip Thomas Esq^r

Read the second time the Bill entitled an Act to encourage the destroying Bears in Worcester County, passed and sent by Samuel Chamberlain Esq^r

Read the second time the Bill entitled an Act for dividing Saint Stephens alias North Sassafras Parish in Cecil County Passed and sent by Col^o Hammond.

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Hall and Pearce Entitled an Act continuing an Act Entitled A supplementary Act to an Act Entitled an Act laying an Imposition on Negroes and several sorts of Liquors Imported and also on Irish Servants to prevent the Importing too great a Number of Irish Papists into this Province thus Endorsed

p. 11

By the Lower House of Assembly 8 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 11 May 1744

Read the second time and will pass

Signed p Order M Macnemara Ct Lo. Ho.

Read the first Time in this House and Ordered to lie on the Table U. H. J.

Read the following Petitions viz. the Petition of several of the Back Inhabitants of Prince Georges County praying a Division of the said County to begin at Kennedy Farrells Bridge and to run a Line to strike Patuxent at Seth Hyatts and for Patowmack to begin at said Bridge and run South West until it Strike the said River; The Petition of Christopher Lowndes and others Inhabitants of Bladensburgh praying that the County of Prince Georges may not be divided at the Eastern Branch of Patowmeck nor at Senecca referred to the Consideration of the Lower House and sent by Edmund Jenings Esq^r

An Engrossed Bill from the Lower House by Mess^{rs} Henry and Robins Entituled an Act to encourage the destroying Bears in Worcester County thus subscribed

11 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

An Engrossed Bill from the Lower House by Mess^{rs} Wootton and Wilkinson Entituled an Act for making a Chappel already erected in Prince Georges Parish in Prince Georges County a Chappel of Ease thus subscribed.

11 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 12 May 1744.

May 12

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled an Act for the speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer; passed and sent by Col^o Hollyday

Read the following Petitions viz^t The Petition of Joseph Gwynn of Charles County Planter praying an Allowance may be made him for a Slave Committed to Prison for Felony, and who died in Goal before Trial. The Petition of Sundry the Freeholders and Inhabitants of the Upper Parts of Dorchester and Queen Anns County

U. H. J. praying a Division of their said Counties, The Petition of sundry the Inhabitants of Queen Anns County praying a Division of the said County and erecting a new one by the Bounds of Saint Lukes Parish, referred to the Consideration of the Lower House and sent by Samuel Chamberlain Esq^r

Read the second time the Bill Entituled An Act continuing an Act entituled an Act laying an Imposition on Negroes and several sorts of Liquors Imported and also on Irish Servants to prevent the importing too great a number of Irish Papists into this Province, Read the second time the Bill Entituled an Act continuing an Act to prevent the injuring of Harbours within this Province and for repealing the Act therein mentioned, passed and sent by Daniel Dulany Esq^r

An Engrossed Bill from the Lower House by Mess^{rs} Pearce and Hyland Entituled an Act for dividing Saint Stephens alias North Sassafras Parish in Cecil County thus subscribed

12 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t lo. Ho.

Read and Assented to by this House and Ordered to be so subscribed

Read the second time the Bill Entituled an Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals guilty of the said Offences, passed and sent by Sam^l Chamberlain Esq^r

Read the Petition of the Visitors of the Free School of Anne Arundel County Praying Leave to bring in a Bill enabling them or their Successors to sell the present school Land, and that the Purchase Money may be applied to buy other Lands or to such Uses as may be thought proper; referred to the Consideration of the Lower House and sent by Edmond Jenings Esq^r

Adjourned till Monday Morning ten of the Clock

May 14

Monday Morning 14 May 1744

This House met again according to Adjournment

Present

the honble {	Benjamin Tasker Esq ^r	{ Col ^o Charles Hammond Samuel Chamberlain Esq ^r Daniel Dulany Esq ^r
	Col ^o George Plater	
	Edmund Jenings Esq ^r	
	Col ^o James Hollyday	

Read the Petition of sundry the Inhabitants of the Upper Part of Allhallows Parish in Worcester County praying a Division of the

said Parish after the Death of the present Incumbent, referred to U. H. J. the Consideration of the Lower House and sent by Samuel Chamberlain Esq^r

A Bill from the Lower House by Mess^{rs} Tasker and Selby Entitled an Act to enable Richard Dorsey of Anne Arundel County Gent to sell and dispose of 49 Acres of Lands part of the Estate of Mary Woodward and Elizth Woodward Infants thus subscribed

By the Lower House of Assembly 10 May 1744

p. 13

Read the first time and Ordered to lie on the Table

Signed p Order M. Macnemara C^t lo. Ho.

By the Lower House of Assembly 14 May 1744

Read the second time and will Pass

Signed p Order M Macnemara C^t Lo. Ho.

Read the first time in this House and Ordered to lie on the Table.

A Bill from the Lower House by Mess^{rs} Magruder and Sprigg entitled an Act empowering the Justices of Prince Georges County to levy upon the taxable Inhabitants of Queen Anns Parish in the said County the Sum of 200th Current Money for the Uses therein mentioned thus Endorsed.

By the Lower House of Assembly 12 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo. Ho.

By the Lower House of Assembly 14 May 1744

Read the second time and will pass

Signed p Order M Macnemara C^t Lo. Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Swann and Chesley Entitled an Act appointing Commissioners for dividing Saint Marys County into four Parishes and to erect that part of All Faiths and King and Queen Parish lying in Charles County into a distinct Parish thus endorsed

By the Lower House of Assembly 12 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo Ho.

By the Lower House of Assembly 14 May 1744

Read the second time and will Pass

Signed p Order M Macnemara C^t lo Ho.

Read the first time in this House and Ordered to lie on the Table.

Read the Petition of John Dove and Peter Impey Debtors in Anne Arundel County Goal, Robert Hardy and John Coffee in Prince Georges County Goal, Joseph Richardson Francis O'Connor William Herring and Robert Noble in Dorchester County Goal and Cornelius Mahany in Cecil County Goal praying Relief, referred to the Consideration of the Lower House and sent by Col^o Hammond

U. H. J. A Bill from the Lower House by Mess^{rs} Hall and Hindman Enti-
 P. 14 tuled an Act for the Naturalization of James Richard of Baltimore
 County thus Endorsed

By the Lower House of Assembly 14 May 1744

Read the first time and Ordered to lie on the Table.

Signed ꝑ Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table

An Engrossed Bill from the Lower House by Mess^{rs} Pemberton
 and Robins Entituled an Act for the speedy and effectual Publica-
 tion of the Laws of this Province and for the Encouragement of
 Jonas Green of the City of Annapolis Printer thus subscribed

14 May 1744

Read and Assented to by the Lower House of Assembly

Signed ꝑ Order M Macnemara Ct Lo. Ho.

Read and Assented to by this House and Ordered to be so sub-
 scribed

Adjourned till 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Wootton and Sprigg
 Entituled an Act empowering the Justices of Prince Georges County
 to levy on the Taxable Inhabitants of King Georges Parish in the
 said County the Sum of two hundred and fifty Pounds Current
 Money for the Uses therein mentioned thus endorsed

By the Lower House of Assembly 9 May 1744

Read the first time and Ordered to lie on the Table

Signed ꝑ Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 14 May 1744

Read the second time and will pass.

Signed ꝑ Order M Macnemara Ct. lo. Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^s Worthington and Purnell
 Entitl^d an Act for ascertaining and Continuing an Act of Assembly
 of this Province Entituled an Act for ascertaining the Gauge and
 Tare of Tobacco hh^{ds} and to prevent cutting cropping and defacing
 Tobacco taken on Board Ships or Vessels upon Freight thus en-
 dorsed.

By the Lower House of Assembly 10 May 1744

Read the first time and Ordered to lie on the Table.

Signed ꝑ Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 14 May 1744.

U. H. J.

Read the second time and will pass

Signed p Order M Macnemara Ct. Lo. Ho.

Read the first time in this House and Ordered to lie on the Table p. 15

An Engrossed Bill from the Lower House by Mess^{rs} Hall and Wilson Entituled an Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals guilty of the said Offences thus subscribed

14 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Read the second time by especial Order the Bill entituled an Act to enable Richard Dorsey of Anne Arundel County Gent to sell and dispose of forty nine Acres of Land part of the Estate of Mary Woodward and Elizabeth Woodward Infants passed and sent by Daniel Dulany Esq^r

The following Message with several Accounts relating to the Indian Affairs is sent by Col^o Hollyday

By the Upper House of Assembly 14 June 1744
Gentlemen

We now send you the Accounts of the Expences incurred in the Affair of the Indians which you had before your House last Session, but which you by Message to this House referred to this Session for Consideration; and we doubt not but you will now allow the same

Signed p Order J Ross Ct Up Ho.

An Engrossed Bill from the Lower House by Mess^{rs} Stoughton and Harrison Entituled an Act continuing an Act entituled an Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned thus Subscribed

14 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 15 May 1744

May 15

This House met again according to Adjournment

Present as Yesterday except Daniel Dulany Esq^r

Read the Petition of James Maxwell John Mathews and Ann his Wife praying Leave to bring in a Bill to confirm and make good the Will of James Maxwell of Baltimore County Rejected

U. H. J. Read the Petition of Thomas Joy a languishing Prisoner in Talbot County Goal praying Relief. The Petition of James Nicholson the Indian Interpreter praying an Allowance may be made him referred to the Consideration of the Lower House and sent by George Plater Esq^r

Read the second time the following Bills viz. an Act for the Naturalization of James Richard of Baltimore County; passed, an Act empowering the Justices of Prince Georges County to levy on p. 16 the taxable Inhabitants of Queen Ann Parish in the said County the sum of 200£ Current Money for the Uses therein mentioned passed An Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of King George Parish in the said County the sum of 250£ Current Money for the Uses therein mentioned passed An Act for reviving and continuing an Act of Assembly of this Province Entituled an Act for ascertaining the Gauge and Tare of Tobacco hh^{ds} and to prevent cutting cropping and defacing Tobacco taken on board Ships or Vessels upon Freight, passed and sent by Edmund Jenings Esq^r

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Smith and Gresham Entituled an Act for raising Two Pence Sterling on every hogshead of Tobacco exported out of this Provision for Payment of an Agent in Great Britain and for other Services of this Province therein mentioned thus endorsed

By the Lower House of Assembly 11 May 1744

Read the first time and Ordered to lye on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 15 May 1744

Read the second time and will pass.

Signed p Order M Macnemara, Ct lo Ho.

Read the first time in this House and Ordered to lie on the Table

Read the Petition of the Rector Vestrymen and Church Wardens of King George Parish in Prince Georges County praying that A Bill may be brought in to Levy 800£ upon the taxable Inhabitants of the said Parish for building them a Chappel; The Petition of the Rector Vestrymen and Church Wardens of Saint James's Parish in Anne Arundel County praying Leave to bring in a Bill enabling them to Lease part of a Tract of Land called Wrighton, referred to the Consideration of the Lower House and sent by Col^o Plater

A Bill from the Lower House by Mess^{rs} Wootton and Harrison U. H. J. Entituled A Supplementary Act to an Act Entituled an Act for laying out and erecting a Town on the south side of the Eastern Branch of Patowmack River in Prince Georges County near a Place called the Garrison Landing thus Endorsed

By the Lower House of Assembly 15 May 1744

Read the first and second time by especial Order and will pass.

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table

An Engrossed Bill from the Lower House Entituled an Act for reviving and Continuing an Act of Assembly of this Province Entituled an Act for ascertaining the Gauge and Tare of Tobacco hh^{ds} p. 17 and to prevent cutting cropping and defacing Tobacco taken on Board Ships or Vessels upon freight thus subscribed

15 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Two Engrossed Bills from the Lower House by Mess^{rs} Wilkinson and Sheredine One Entituled an Act to enable Richard Dorsey of Anne Arundel County Gent. to sell and dispose of 49 Acres of Land part of the Estate of Mary Woodward and Elizabeth Woodward Infants, the other entituled an Act continuing an Act entituled A Supplementary Act to an Act entituled an Act for laying an Imposition on Negroes and several sorts of Liquors imported and also on Irish Servants to prevent the importing too great a number of Irish Papists into this Province severally thus subscribed

15 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct. Lo. Ho.

Read and Assented to by this House and Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 16 May 1744.

May 16

This House met again according to Adjournment

Present as Yesterday with the Addition of Daniel Dulany Esq^r

An Engrossed Bill from the Lower House by Mess^{rs} Pemberton and Hammond Entituled an Act for the Naturalization of James Richard of Baltimore County thus subscribed

U. H. J.

16 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Read the Petition of Samuel Wilson of Somerset County Executor of Margaret Lindow praying Leave to bring in a Bill enabling him to Convey and make over David Wilson all the Estate Right and Title which the said Margaret had in the Lands devised to her by Col^o David Brown, referred to the Consideration of the Lower House and sent by Daniel Dulany Esq^r

Two Engrossed Bills from the Lower House by Mess^{rs} Sprigg and Robins one Entituled an Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of King Georges Parish in the said County the sum of two hundred and fifty Pounds Current Money for the uses therein mentioned. The other Entituled an Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of Queen Ann Parish in the said County the sum of two hundred Pounds Current Money for the uses therein mentioned, thus subscribed

p. 18 Read and Assented to by the Lower House of Assembly

Signed p Order M. Macnemara Cl Lo. Ho.

Read and Assented to by this House and Ordered to be so subscribed

Read the Petition of the Inhabitants of Baltimore and Jones's Town and other Freeholders of Baltimore County praying, praying that A Bill may be brought in to lay out the said Town anew and to Adjoin 80 Acres of Land thereto for Pasturage and to give some other Encouragements to the said Town as prayed for by the Petitioners

Read the Reasons offered by Charles Carroll Esq^r against passing the said Petition, Upon Consideration thereof had, the said Petition is Rejected

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Philip Thomas Esq^r

Read the second time the Bill Entituled an Act appointing Commissioners for dividing Saint Marys County into four Parishes and to erect that part of All Faith and King and Queen Parish lying in Charles County into a distinct Parish, and will pass with the following Amendments, Leave out the Words in 3^d and 4th Line of

Second Page, at or before the 30th day of June which shall be in the U. H. J. Year of Our Lord 1744 and between the Words, shall, and meet, in 11th of the same Page insert the following Words, at or before the 30th day of August which shall be in the Year of Our Lord 1744, sent by Philip Thomas Esq^r

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 17 May 1744

May 17

This House met again according to Adjournment

Present as Yesterday

Read the Petition of John Boyd of Prince Georges County praying Leave to bring in a Bill enabling the Clerk of Prince Georges County to Record a Deed from John Nevill William Collier and Thomas Bond to him the said Boyd for 160 Acres part of a Tract of Land called Turkey Thickett Rejected

Read the second time the Bill entituled a supplementary Act to an Act Entituled an Act for laying out and erecting a Town on the South side of the Eastern Branch of Potowmack River in Prince Georges County near a Place called the Garrison Landing passed and sent by Col^o Hammond

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning with the Addition of Col^o Lloyd

Read the second time the Bill entituled an Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other slaves, for the Tryal and more effectual Punishing of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offendors and other Offendors and will not pass; sent to the Lower p. 19 House with the following Message by Col^o Hollyday

By the Upper House of Assembly 17 May 1744
Gentlemen

The Bill to prevent the Tumultuous Meeting of Negroes and other slaves for the trying and more effectual Punishing of Negroes and other Slaves and for taking away the Benefit of Clergy from Horse Stealers and other Offendors including the whole of two perpetual Acts now in force, We think it improper to enact by a temporary Law what is already provided for by a perpetual one, and therefore return that Bill with a Negative, But if You think it necessary to frame a new Bill for such Parts of the present Bill as are not already

U. H. J. provided for by the aforesaid two perpetual Laws, We shall agree with you therein, leaving out the Clause for reading the Act

Signed p Order J Ross Ct Up Ho.

Adjourned till to Morrow Morning ten of the Clock.

May 18

Friday Morning 18 May 1744

This House met again according to Adjournment

Present as Yesterday

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Colvill and Hyland Entituled A Supplementary Act to the Act Entituled An Act for laying out and erecting a Town at a Place called Long Point on the West side of North East River in Cecil County thus endorsed

By the Lower House of Assembly 15 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct lo Ho.

By the Lower House of Assembly 18 May 1744

Read the second time and will pass

Signed p Order M Macnemara Ct Lo. Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Stoughton and Harrison Entituled an Act for enlarging the Jurisdiction of the County Courts thus endorsed

By the Lower House of Assembly 4 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 15 May 1744

Read and committed for Amendments

Signed p Order M Macnemara Ct. Lo Ho.

By the Lower House of Assembly 18 May 1744

p. 20 Read the second time with the Amendments and will Pass

Signed p Order M Macnemara Ct lo. Ho.

Read the first time in this House and Ordered to lie on the Table.

A Bill from the Lower House by Mess^{rs} Henry and Selby Entituled an Act for the building a Prison in Worcester County thus Endorsed.

By the Lower House of Assembly 16 May 1744 U. H. J.
Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower House of Assembly 17 May 1744
Read the second time and will pass.

Signed p Order M Macnemara Ct. Lo. Ho.

Read the first Time in this House and Ordered to lie on the Table
Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 19 May 1744

May 19

This House met again according to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower House by Mess^{rs} Ennalls and Swann Entituled A supplementary Act to an Act entituled an Act for laying out and erecting a Town on the south side of the Eastern Branch of Patowmack River in Prince Georges County near a Place called the Garrison Landing thus subscribed

19 May 1744

Read and Assented to by the Lower House of Assembly.

Signed p Order M Macnemara Ct Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

A Bill from the Lower House by Mess^{rs} Smallwood and Hindman Ent^d an Act to divide Prince Georges County and to rerect a new County on the Upper Part thus Endorsed

By the Lower House of Assembly 9 May 1744

Read the first Time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 18 May 1744

Read the second time and will Pass.

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table.

An Engrossed Bill from the Lower House by Mess^{rs} Waughop and Swann Entituled an Act appointing Commissioners for divid-ing Saint Marys County into four Parishes and to erect that part of All Faith and King and Queen Parish lying in Charles County into a distinct Parish thus Endorsed p. 21

19 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo. Ho.

Read and Assented to by this House and Ordered to be so sub-scribed

U. H. J. A Bill from the Lower House by Mess^{rs} Tasker and Calder entitled an Act to exempt part Owners of Ships and other Vessels being Residents of this Province from the Payment of Duties thus endorsed

By the Lower House of Assembly 17 May 1744

Read the first Time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 19 May 1744

Read the second time and will pass.

Signed p Order M. Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} King and Calder Entitled an Act to enable Samuel Wilson Executor of Margaret Lindow to Convey Certain Lands to David Wilson thus Endorsed

By the Lower House of Assembly 18 May 1744

Read the first time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 19 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Ct Lo. Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till Monday Morning ten of the Clock.

May 21

Monday Morning 21st May 1744

This House met again according to Adjournment

Present

the honble	{	Benjamin Tasker Esq ^r	}	Samuel Chamberlain Esq ^r
		Col ^o George Plater		Philip Thomas Esq ^r
		Edmund Jenings Esq ^r		Daniel Dulany Esq ^r
		Col ^o James Hollyday		Col ^o Edward Lloyd
		Col ^o Charles Hammond		

Read the Petition of Mary Stokes Widow Administratrix of Humphry Wells Stokes late of Baltimore County Gent deceased
 p. 22 praying Leave to bring in a Bill enabling her to sell Part of a Tract of Land called Monserada and other Lands therein mentioned and that the Monies arising by such Sale may be applied for the Payment of Debts, referred to the Consideration of the Lower House and sent by Col^o Plater

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 22^d May 1744

U. H. J.

This House met again according to Adjournment

Present as Yesterday

Mess^{rs} Sheredine and Thomas from the Lower House attend with M^r John Paca a Member Elected for Baltimore County in the Room of M^r Aquila Paca deceased in Order to see him qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly and subscribes the Abjuration and Test and then withdrew

Read the second time the Bill entituled an Act for building a Prison in Worcester County and the Bill entituled an Act to enable Samuel Wilson Executor of Margarett Lindow to Convey certain Lands to David Wilson and will pass sent by Edmund Jenings Esq^r

A Bill from the Lower House by Mess^{rs} Smith and Weems Entituled an Act for Punishment of Horse Stealers thus Endorsed

By the Lower House of Assembly 19 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo. Ho.

By the Lower House of Assembly 22^d May 1744

Read the second time and will pass.

Signed p Order M Macnemara C^t lo Ho.

Read the first time in this House and Ordered to lie on the Table
Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled A supplementary Act to the Act entituled an Act for laying out and erecting a Town at a Place called Long Point on the West side of North East River in Cecil County passed and sent by Col^o Lloyd

A Bill from the Lower House by Mess^{rs} Wootton and Lecompte entituled an Act Continuing an Act of Assembly of this Province Entituled A supplementary Act to the Act entituled an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offendors and to an Act entituled an Act to prevent the tumultuous meeting and other Irregularities of Negroes and other Slaves and directing the manner of Trying Slaves thus endorsed p. 23

By the Lower House of Assembly 18 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo Ho.

U. H. J.

By the Lower House of Assembly 22 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Ct Lo. Ho.

Read the first time in this House and Ordered to lie on the Table.

Read the second time the Bill entituled an Act to divide Prince Georges County and to erect a new County on the Upper Part thereof and will pass with the following Amendments Page 1st Line 7th instead of, after the 20 day of December next, put these Words, within two Months after his Lordship the Lord Proprietary shall have signified his Assent to, or Approbation of this Act, Leave out all the Words between Videlicet and River; in 8th and 11th Lines of the same Page, and insert the following, from the Lower side of the Mouth of Rock Creek, then with the said Creek to Kenneday Farrells Bridge, from thence with a streight Line to Peter Murpheys Ford, on Patuxent River, Page 2^d Line 12th instead of 10th day of January next, put, within two Months after his Lordships Approbation shall be signified as aforesaid, and at the end add this Proviso; Provided always that this Act shall not be of any force or Effect, or be put in Execution until the Right Honourable the Lord Proprietary shall have signified his Assent thereto or Approbation thereof; and sent to the Lower House by Samuel Chamberlain Esq^r

A Bill from the Lower House by Mess^{rs} Robins and Selby Entituled an Act to enable certain Commissioners therein named to lay out forty Acres of Land into Eighty Lotts for a Town on Indian River in Worcester County as also forty Acres of Land at the head of Assateague Creek at a Place commonly called the Trapp for a Town, thus Endorsed

By the Lower House of Assembly 17 May 1744

Read the first time in this House and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower House of Assembly 22^d May 1744

Read the second time and will pass

Signed p Order M Macnemara Ct Lo: Ho.

An Engrossed Bill from the Lower house by Mess^{rs} Purnell and Henry Entituled an Act for building a Prison in Worcester County thus subscribed

22^d May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo. Ho.

p. 24 Read and Assented to by this House and Ordered to be so subscribed

A Bill from the Lower House by Mess^{rs} Sprigg and Harrison Entituled an Act to enable the Rector Vestrymen and Church Wardens of Saint James's Parish in Anne Arundel County to lease

Lands belonging to Saint James's Church in manner and to the uses U. H. J. therein mentioned thus Endorsed

By the Lower House of Assembly 16 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower House of Assembly 22^d May 1744

Read the second time and will pass

Signed p Order M Macnemara Ct Lo. Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 23^d May 1744

May 23

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess^{rs} Gordon and Tasker Entitled an Act to remedy some defects in an Indenture of Bargain and Sale made and executed by Michael Curtis and Sarah his Wife late of Saint Marys County Deceased to Charles Carroll Esq^r late of the City of Annapolis Deceased thus endorsed

By the Lower House of Assembly 22^d May 1744

Read the first Time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower House of Assembly 23 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table.

A Bill from the Lower House by Mess^{rs} Trippe and Hindman Entitled an Act continuing an Act of Assembly of this Province Entitled an Act for the more effectual Punishment of certain Offenders and for taking away the Benefit of Clergy from certain Offenders thus Endorsed.

By the Lower House of Assembly 18 May 1744

Read the first time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct Lo. Ho.

By the Lower House of Assembly 22^d May 1744.

Read the second time and will Pass.

Signed p Order M Macnemara Ct. Lo. Ho.

Read the first time in this House and Ordered to lie on the Table.

Adjourned till three of the Clock in the Afternoon

U. H. J.

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill entituled an Act for the Punishment of Horse Stealers, and will pass with the following Amendments, Add to the Title, and other Offenders, between the Words, Clergy, and this, in first Line of second Page, insert the following Clause, And Be it further Enacted that any Person or Persons who shall after the Publication of this Act wilfully and designedly burn any Ship or other Vessel Sloop Shallop or Boat of seventeen Keel or upwards whether empty or laden and the Aiders or Abettors of such Offender or Offenders being thereof convicted or attainted by due Course of Law shall suffer Death as a Felon or Felons without Benefit of Clergy sent by Daniel Dulany Esq^r

Read the second time the Bill entituled an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offenders, and to an Act entituled an Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other slaves and directing the manner of Trying of Slaves; and read the second time the Bill entituled an Act to enable the Rector Vestrymen and Church Wardens of Saint James's Parish in Anne Arundel County to lease Lands belonging to Saint James's Church in manner and to the Uses therein mentioned, passed and sent by Samuel Chamberlain Esq^r

An Engrossed Bill from the Lower House by Mess^{rs} King and Gale Entituled an Act to enable Samuel Wilson Executor of Margaret Lindow to convey certain Lands to David Wilson thus subscribed

2[3] May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

May 24

Thursday Morning 24 May 1744

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess^{rs} Magruder and Sprigg Entituled an Act for laying out the Town anew commonly called Upper Marlborough Town in Prince Georges County thus endorsed

By the Lower House of Assembly 17 May 1744

U. H. J.

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly. 23 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Ct Lo Ho.

Read the first Time in this House and Ordered to lie on the Table.

Read the second time the Bill entituled an Act continuing an Act of Assembly of this Province Entituled an Act for the more p. 26 effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy passed and sent by Philip Thomas Esq^r

An Engrossed Bill from the Lower House by Mess^{rs} Broome and Paca Entituled an Act Continuing an Act of Assembly of this Province Entituled A Supplementary Act to the Act Entituled an Act for the more effectual Punishment of Negroes and other Slaves and for taking away the Benefit of Clergy from certain Offendors, and to an Act entituled an Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other Slaves and directing the manner of trying Slaves thus subscribed

24 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill entituled an Act for Limitation of Officers fees and will not pass, sent by Col Plater

Read the second time the Bill entituled an Act for raising two Pence sterling on every hhd of Tobacco exported out of this Province for Payment of an Agent in Great Britain and for other services of this Province therein mentioned and will not pass, sent by Daniel Dulany Esq^r

Read the second time the Bill entituled an Act to enable certain Commiss^{rs} therein named to lay out forty Acres of Land into Eighty Lotts for a Town on Indian River in Worcester County, and also forty Acres of Land into Eighty Lotts at the head of Asseteague Creek at a Place called the Trap, for a Town and will pass with the following Amendment The Words, and they or the Major part of them in 19th Line of 1st Page being left out, sent by Col^o Lloyds

U. H. J. An Engrossed Bill from the Lower House by Mess^{rs} Paca and Hyland Entitled an Act continuing an Act of Assembly of this Province Entitled an Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy, thus subscribed

24 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Read the second time the Bill entitled an Act to exempt part Owners of Ships and other Vessels being Residents of this Province from the Payment of Duties; and will not pass, sent with the following Message by Samuel Chamberlain Esq^r

By the Upper House of Assembly 24 May 1744
Gentlemen

We send you back the Bill, to exempt part Owners of Ships and Vessels being Residents of this Province from the Payment of Duties with Our Negative to it, not only because the Title and
p. 27 enacting Part are inconsistent but also because We think it will be a better Way to have a Bill brought in to lay a Duty of one Penny p Gallon on all Rum and other Spirits and Wine that shall be exported (except from Great Britain) as We believe so small a duty will raise more Money than is at present raised by the three Pence p Gallon now payable and that it will put all his Majestys Subjects importing the said Liquors upon an equal Foot

Signed p Order J Ross C^t Up Ho.

A Bill from the Lower House by Mess^{rs} Purnell and Selby Entitled an Act for dividing Allhallows Parish in Worcester County and for erecting a Parish out of the same called by the Name of Worcester Parish thus endorsed

By the Lower House of Assembly 22^d May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo Ho.

By the Lower House of Assembly 24 May 1744

Read the second time and will pass

Signed p Order M Macnemara C^t Lo Ho.

Read the first time in this House and Ordered to lie on the Table
Adjourned till to Morrow Morning ten of the Clock.

May 25

Friday Morning 25 May 1744

This House met again according to Adjournment

Present as Yesterday

Mess^{rs} King and Gale from the Lower House attend with M^r David Wilson a Member Elected for Somerset County in the

Room of M^r James Martin who has accepted of the Office of Sheriff U. H. J. of Worcester County in order to see him qualified who takes the Oaths to the Government and subscribes the Abjuration and Test and then withdrew

Mess^{rs} Wilkinson and Smallwood from the Lower House attend with M^r John Courts a Member elected for Charles County in the Room of M^r Yates deceased in Order to see him qualified who takes the Oaths to the Government and subscribes the Abjuration and Test and then withdrew

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Three Engrossed Bills from the Lower House by Mess^{rs} Colvill and Hyland One Entituled an Act for Punishment of Horse Stealers and other Offendors, and one Entituled an Act enabling the Vestrymen and Church Wardens of Saint James's Parish in Anne Arundel County to lease Lands belonging to Saint James's Church in manner and to the uses therein mentioned, and the other Entituled A supplementary Act to the Act Entituled an Act for laying out a Town at a Place called Long Point on the West side of North East River in Cecil County thus subscribed

25 May 1744

p. 28

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo Ho.

Read and Assented to by this House and Ordered to be severally so subscribed

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 26 May 1744

May 26

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill entituled an Act to remedy some defects in an Indenture of Bargain and Sale made and executed by Michael Curtis and Sarah his Wife late of Saint Marys County deceased and Charles Carroll Esq^r late of the City of Annapolis deceased, passed and sent by Col^o Hammond

Read the second time the Bill entituled an Act for dividing All-hallows Parish in Worcester County and for erecting a Parish out of the same called by the name of Worcester Parish; passed and sent by Col^o Hollyday

U. H. J. Read the second time the Bill Entituled an Act for enlarging the Jurisdiction of the County Courts, and will not pass sent by Edmund Jenings Esq^r

A Bill from the Lower House by Mess^{rs} Stoughton and Wilson Entituled an Act for issuing Writs of Replevin out of the County Courts of this Province thus Endorsed

By the Lower House of Assembly 7 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 26 May 1744

Read the second time and will pass.

Signed p Order M Macnemara Ct Lo. Ho.

Read the first time in this House and Ordered to lie on the Table

Read the second time the Bill entituled an Act for laying out the Town anew commonly called Upper Marlborough Town in Prince Georges County and will pass the Words, or the Major part of them, in 3^d Line of 2^d Page being left out; Sent by Col^o Plater

Adjourned till Monday Morning ten of the Clock

May 28

Monday Morning 28 May 1744.

This House met again according to Adjournment

Present

the honble	{	Benjamin Tasker Esq ^r	{	Col ^o Charles Hammond
		Col ^o George Plater		Samuel Chamberlain Esq ^r
		Edmund Jenings Esq ^r		Daniel Dulany Esq ^r
		Col ^o James Hollyday		

A Bill from the Lower House by Mess^{rs} Gresham and Harrison Entituled an Act for the Tryall of all matters of Fact in the several Counties where they have arisen or shall arise, thus Endorsed

p. 29 By the Lower House of Assembly 22^d May 1744

Read the first Time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct Lo Ho.

By the Lower House of Assembly 26 May 1744

Read the second time and will pass

Signed p Order M. Macnemara Ct Lo Ho.

Read the first Time in this House and Ordered to lie on the Table.

A Bill from the Lower House by Mess^{rs} Courts and Chesley Entituled an Act inpowering the Vestry men and Church Wardens of King Georges Parish in Prince Georges County to purchase three Acres of Land in the said Parish to build a Chappel of Ease on, and to Impower the Justices of Prince Georges County to levy on the

taxable Inhabitants of the said Parish in the said County the sum of U. H. J. 800£ Current Money for the uses therein mentioned thus endorsed

By the Lower House of Assembly 26 May 1744

Read the first time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo Ho.

By the Lower House of Assembly 28 May 1744

Read the second time and will pass.

Signed p Order M Macnemara C^t Lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Wootton and Goldsborough Entituled A supplementary Act to the Act entituled an Act for the Relief of Debtors and ascertaining the manner of Tenders in Tobacco and to the Supplementary Act thereto thus subscribed

By the Lower House of Assembly 25 May 1744

Read the first Time and Ordered to lie on the Table

Signed p Order M Macnemara C^t Lo Ho.

By the Lower House of Assembly 28 May 1744

Read the second time and will pass

Signed p Order M Macnemara C^t Lo Ho.

Read the first time in this House and Ordered to lie on the Table

Two Engrossed Bills from the Lower House by Mess^{rs} Selby and Purnell One Entituled an Act to enable certain Commissioners therein named to lay out forty Acres of Land into Eighty Lotts for a Town on Indian River in Worcester County; as also forty Acres of Land into Eighty Lotts at the head of Asseateague Creek, at a Place called the Trap for a Town, the other an Act for dividing Allhallows Parish in Worcester County and for erecting a Parish out of the same by the Name of Worcester Parish severally thus subscribed

28 May 1744

p. 30

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo Ho.

Read and Assented to by this House and Ordered to be Subscribed

An Engrossed Bill from the Lower house by Mess^{rs} Tasker and Henry Entituled an Act to remedy some defects in an Indenture of Bargain and sale made and executed by Michael Curtis and Sarah his Wife late of Saint Marys County deceased and Charles Carroll late of the City of Annapolis Esquire deceased thus endorsed

28 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

U. H. J. A Bill from the Lower House by Mess^{rs} Wilkinson and Wilson Entituled an Act empowering Mary Stokes Widow and Executrix of Humphry Wells Stokes of Baltimore County Gent deceased to sell and dispose of the Lands and Tenements therein mentioned to be sold for the Uses and Purposes therein directed thus endorsed

By the Lower House of Assembly 28 May 1744

Read the first and second time by an especial Order and will pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table

Adjourned till to Morrow Morning ten of the Clock

May 29

Tuesday Morning 29th May 1744

This House met again according to Adjournment

Present as Yesterday with the Addition of Col^o Edward Lloyd

Read the Petition of Robert [F]loyd a languishing Debtor in Queen Anns County Goal praying Relief; referred to the Consideration of the Lower House of Assembly and sent by Col^o Lloyd

Read the second time the Bill entituled an Act empowering the Vestrymen and Church Wardens of King Georges Parish in Prince Georges County to Purchase three Acres of Land in the said Parish to build a Chappell of Ease on, and to empower the Justices of Prince Georges County to levy on the Taxable Inhabitants of the said Parish in the said County the sum of 800£ Current Money for the uses therein mentioned, and the Bill entituled an Act empowering Mary Stokes Widow and Executrix of Humphry Wells Stokes of Baltimore County Gent deceased to sell and dispose of the Lands and Tenements therein mentioned to be sold for the Uses and Purposes therein directed; passed and sent by Daniel Dulany Esq^r

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Col^o Plater from the Committee appointed to inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit delivers to the House the following Report.

p. 31 At a Committee of Both Houses of Assembly appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly

Present

The honourable George Plater Esquire of the Upper House

Col ^o Thomas Colvill	}	Mr James Weems	}	of the Lower House
Major Thomas Sheredine		Mr Philip Hammond		
Mr Grundy Pemberton				

Who make Choice of the honourable George Plater Esq^r Chairman U. H. J. and Richard Dorsey Clerk and agree to make the following Report.

Your Committee having carefully inspected the State of the Office for emitting the Paper Money, find (by counting the same) that there remains of the 89990[£] a Ballance in the Iron Chest, as in the annexed Account of 7735 [£]..10^s..0^d

That We have examined the 24 Books of unsigned Bills amounting to £9687..10^s mentioned in the Report of 10th May 1740 to be for the Renewment and making good torn and defaced Bills and find now remaining of the same, after such Renewment made as underneath viz.

2249 Bills of 20s. each amounting to	2249..00..00
2716 Bills of 15s. each	2037..—..—
2716 Bills of 10s. each	1358..—..—
3638 Bills of 5s. each	909..10..—
2574 Bills of 2.6 each	321..15..—
991 Bills of 1.6 each	74.. 6.. 6
	<hr/>
Total.	6949..11.. 6

Your Committee also find that since the last Report 34 Books of Blank Bills have been remitted to the said Commissioners from England in Order also to renew and make good the torn and defaced Bills which We have examined and find to be and contain as follows viz.

		£
1 Book of 20s. Bills containing	1000	1000
1 Ditto of 15s. Bills	1000	750
2 Ditto of 10s. Bills	1000 Each	1000
4 Ditto of 5s. Bills	1000 Each	1000
6 Ditto of 2/6 Bills	1000 Each	750
10 Ditto of 1/6 Bills	1000 Each	750
10 Ditto of 1/ Bills	1000 Each	500
		<hr/>

	5750..
Out of which We find 730 1/ Bills made use of by } the Commissioners in Changing defaced Money }	36..10..—
	<hr/>
	5713..10..—

And further signify that at the desire of the Commissioners, Your Committee did count over and see destroyed and Burnt to Ashes by the said Commissioners the following torn and defaced Bills, viz. 212 Bills of 20^s Each, 376 Bills of 15s. each, 1010 Bills of 10s. each, 1739 Bills of 5s. each, 2646 Bills of 2^s 6^d each 2569 Bills of 1/6 Each, 2575 Bills of 1s. each amounting in the whole to the sum of 2085..18..6

U. H. J. Your Committee find that after a Return into the Office of the
 P. 32 Surplus Money by the several Agents for enlisting Soldiers there
 remains out of the £2357..10..0 issued for that purpose out of the
 Loan Office, a Ballance of £1645 to be levied by three equal Assess-
 ments, yet notwithstanding two of those Assessments have been
 levied no more has been paid by the several Sheriffs to the Commis-
 sioners of said Office than the Sum of £731..17..11 of which the un-
 derwritten Sum of £399..11..0¼ has been paid since 7th of March
 last, after the Books for the aforegoing Account were Closed, viz.

Gabriel Parker Sheriff of Calvert County	28..01..11
William Cartwright Sheriff of Saint Marys County	40..—.. 7
John Hepburn Sheriff of Prince Georges County	104..14.. ½
John Handy Sheriff of Somerset County	126..14.. 4¾
James Rigbie Sheriff of Baltimore County.	100..—..—
	<hr/>
	399..11.. ¼

Whereby We find that of the said two Assessments there remains
 to be accounted for, or paid in by the several Sheriffs the following
 Sums viz.

Kent County	36..16.. 8
Charles County	147.. 1.. 6¾
Baltimore County	47.. 5.. 7¾
Dorchester County	110..15..10¾
Talbot County	76.. 8.. 6
Cecil County	29..17.. 1½
	<hr/>
	448.. 5.. 4¼

Your Committee observe that there has been produced before them
 two Receipts to Edward Trippe Sheriff of Dorchester County for
 the Years 1742 and 1743 signed by William Ghiselin late Clerk of
 the Loan Office, for the sum of £112..16 by him paid to the said
 Ghiselin on Account of the publick Assessment and Ordinary
 Licenses; also two Receipts are produced from Benjamin Bradford
 Sheriff of Cecil County for £94..14 Signed as abovesaid by him paid
 for the Uses abovesaid for which sums we find no Credit given in
 the Books or Accounts of the Paper Currency Office

That of the Sum of £3391..14..11 issued out of the said Office for
 maintaining and transporting his Majestys forces, there has been
 paid by the several Naval Officers for the Moiety of the Duty on
 Negroes and Liquors the Sums hereafter expressed viz.

By George Plater Esq ^r contained in the last Account	438.—.—	U. H. J.
By the several Naval Officers as in this present annexed Account mentioned	1145.. 1.. 7¼	
By Samuel Chamberlain and Thomas Brewster paid in since closing the Books to be accounted for by the Comm ^{rs} in the next Accounts	311..10..10	
But from the Remissness and Negligence of several Clerks and Sheriffs no more appears to be paid to the Comm ^{rs} af ^d on Account of Ordinary Licenses than the Sum of	578.. 4..10½	
	<hr/>	
	2472..17.. 3¾	

Although We compute that such Licenses would amount to some- p. 33
thing more than four hundred Pounds p Annum, which said Sum
of £578..4..10½ is paid by the Sheriffs undermentioned viz.

By John Darnall late Sheriff of Anne Arundel County part of the £135..11 mentioned in the last Account and Report and not then distinguished in the Books, the Residue being on Account of the Publick Levy	78.. 7.. 4½
By Edward Tilghman Sheriff of Queen Anns County incerted in said Account	19..—.—
	<hr/>
	97.. 7.. 4½

Continued in this next Account viz.

By George Tarvin Sheriff of Charles County	22..10.—
By John Handy Sheriff of Somerset County	26.. 2.. 6
By Jerem. Nichols Sheriff of Talbot County	21.. 7.. 6
By Edward Tilghman Sheriff of Queen Anns	26.. 2.. 6
	<hr/>
	96.. 2.. 6

By sundry Sheriffs paid into the Office since the closing the Books,
till this 29th May to be accounted for by the Commissioners in the
next Account viz.

By W ^m Cartwright Sheriff of Saint Marys County	23..15.—
By Gabriel Parker Sheriff of Calvert County	16..12.. 6
By Samuel Smith Sheriff of Anne Arundel County	59.. 7.. 6

U. H. J. By John Hepburn Sheriff of Prince Georges County	147.. 5.—
By John Darnall late Sheriff of Anne Arundell Co ^{ty}	85..10.—
By Doctor Porter Sheriff of Talbot County	19.—.—
By John Handy Sheriff of Somerset County	33.. 5
	<hr/> 384..15.—
	<hr/> £578.. 4..10½

Your Committee also observe that in some Counties the Clerks have made no Returns of the Lists of Ordinary Keepers, particularly Calvert and Dorchester Counties, and Others have omitted some Years, or are so imperfect that We cannot make a proper Return: Therefore We recommend that the several Clerks be ordered to return to the Commissioners, immediately a new and distinct List or Account of each Year, beginning at March Court and ending November Court in the several Counties, And that the several Sheriffs be likewise obliged forthwith to account and pay the Commissioners aforesaid the several and respective sums due from them, as well on Account of the Money due for Ordinary Licenses, as for the several Publick Assessments

We observe the several Sheriffs have returned into the Office, many insolvent Ordinary Keepers, which We apprehend might, and ought to have been recovered in such Case of their securities

Your Committee have reason to apprehend, that there are several Sums of Money in most or all of the Counties, except Queen Anns remaining of the Money delivered out of the Money for the Payment of the thirty shillings p Taxable at the first emitting the Money; and recommend that the Clerks of the several Counties be Ordered
p. 34 to send a true Account of the Monies then paid to the Taxables of the said Counties (Queen Anns County excepted) to the Commissioners of the Paper Currency Office, and to transmit the Receipts for the same as is directed by the Paper Currency Office in three Months after Notice is given them by the Commissioners aforesaid and that the said Commissioners be required immediately to forward the said Notice, and that the said Clerks give Notice to the respective County Courts that they cause to be returned without delay to the Commissioners aforesaid such Surplus Money as may be remaining on the said Account

All which is Submitted to the Consideration of both Houses this 29th day of May 1744 by

Geo Plater
G. Pemberton

James Weems
Tho^s Colvill

T. Sheredine

D^r The Office for Emitting the Paper Money of Maryland from U.H.J.
9th of September 1742 to 7th of March 1743 inclusive

• To Ballance of Account then Stated 9 th September 1742 Before a Committee of both Houses for such part of the 89990 ^l as was then signed	5836.. 5.. 4 ³ / ₄
To 11 Books of ¹ / ₆ Bills 1250 Each, To 11 Books of 1/ Bills 1250 Each, being so much signed of the 2078..15 ^s of unsigned Bills mentioned in the last Account and part of the 89990 ^l	1718..15
To Principal Money paid into the Office on Loans from the said 9 th of September to 7 th of March 1743 inclusive	2576..14.. 4
To Interest Money paid into ditto in the same time	638..10.. 3
To Money paid into the Office by sundry Naval Officers by Virtue of an Act of Assembly for transporting his Majestys Forces viz.	
By George Plater Esq ^r	544.. 4..11 ¹ / ₄
By Philip Lee Esq ^r	456.. 2..11
By Benjamin Tasker	144..13.. 9
To Money returned into the Office by Governor Ogle	318..—..—
To ditto returned into ditto by Roger Mathews Executrix as Agent for enlisting Soldiers	109..15..—
To Money paid in by several Sheriffs for Ordinary Licenses viz.	
By George Tarvin Sheriff of Charles County for 1741	22..10..—
By John Handy Sheriff of Somerset for 1741	26.. 2.. 6
By Jerem. Nichols Sheriff of Talbot for 1740 & 1741	21.. 7.. 6
By Edw ^d Tilghman Sheriff of Queen Anns County	26.. 2.. 6
To Money paid in by several Sheriffs assessed in the Publick Levy Annis 1741 & 1742 viz.	
By John Handy Sheriff of Somerset	49.. 6.. 0
By John Thompson Sheriff of Cecil	64..—..—
By Jeremiah Nichols Sheriff of Talbot	34..15..—
By Tho ^s Hynson Wright Shff of Queen Anns	85.. 2.. 3 ³ / ₄
By Edw ^d Tilghman late Sheriff of Queen Anns.	42

£12714.. 7.. 4¹/₄

U. H. J. C ^r By Money lent on Interest since the said 9 th of September 1742 to the 7 th of March 1743	1602..19.. 8
p. 35 By Money paid the Commissioners and Clerks Salaries from the last Account till 23 ^d of January 1743	460..—..—
By Money paid Richard Dorsey as Clerk from 2 ^d of Nov ^r 1743 to 23 rd of January 1743	18.. 6.. 8
By Money paid James Calder for Kent County Goal	250..—..—
By Money paid Charles Sewalls Executors pursuant to Act of Assembly 1741	305..—..—
By Money paid on Account of the Publick Buildings in Annapolis	190..11..—
By Money paid Governor Ogle on Account of building a Governors House 17 th of february 1740 Omitted to be then Entered	100..—..—
By Money paid his Excellency Thomas Bladen Esq ^r on the same Account	2026..18..—
By Money paid Samuel Smith Sheriff for Costs which the Commissioners expect will be reimbursed	6..13.. 4
By Money paid for Office Expences	18.. 8.. 8
	<hr/> 4978..17.. 4
By Ballance by coined or signed Money remaining in the Iron Chest	5649..11..6
By ditto by Money destroyed, which the Comm ^{rs} are to coin and replace out of the Books for renewment of torn and defaced Bills	2085..18..6
	<hr/> 7735..10..—
	<hr/> £12714.. 7.. 4

Particulars of Office Expences referred to in the above Account viz.

To William Ghiselin for Fire Wood	7..12..—
To ditto for Cleaning the Office	9..—..—
To Richard Dorsey for Ditto	1..16.. 8
	<hr/> 18..08.. 8

Memorandum

Money appropriated for several County Goals but not issued or applied	2250..—..—
Ditto for the Governors house	1482.. 9.. 4
Ditto for publick Buildings in Annapolis	63.. 1..11
	<hr/> 3795..11.. 3

Remains unappropriated of the af^d 89990 Principal 3939..18.. 9 U. H. J.

7735..10..—

D^r The Paper Currency Office

To Principal Money paid into the Office as p Re- } 5865..—..—
 port in the Year 1739

To ditto as p ditto in 1740 2693..18..10

To ditto as p ditto in 1741 1565..—..—

To ditto to 7 March 1743 in this present Report. 2576..14.. 4

14033..13.. 2

To Ballance now remaining at Interest due to the
 said Office

16949..18.. 6

£30983..11.. 8

C^r By Principal Money lent on Security as p Re-
 port in the Year 1739

£ s d p. 36
 25592..10..—

By ditto as p ditto in 1740

1593.. 2..—

By ditto as p ditto in 1741

1350..—..—

By ditto as p ditto in 1742

845..—..—

By ditto to 7 March 1743 in this present Report

1602..19.. 8

30983..11.. 8

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 30 May 1744

May 30

This House met again according to Adjournment

Present as Yesterday

Two Engrossed Bills from the Lower House by Mess^{rs} Wootton and Hammond One Entituled an Act for laying out the Town anew commonly called Upper Marlborough Town in Prince Georges County the other Entituled an Act empowering the Vestrymen and Church Wardens of King Georges Parish in Prince Georges County to purchase three Acres of Land in the said Parish to build a Chapel of ease on, and to empower the Justices of Prince Georges County to levy on the Taxable Inhabitants of the said Parish in the said County the sum of 800£ Current Money for the Uses therein mentioned severally thus subscribed

30 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl. Lo Ho.

U. H. J. Read and Assented to by this House and Ordered to be so subscribed

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess^{rs} Stoughton and Chesley Entituled an Act continuing part of an Act of Assembly of this Province Entituled an Act for raising and issuing Money for maintaining his Majestys forces in this Province and for transporting them to the Place of Rendezvous in the West Indies thus endorsed

By the Lower House of Assembly 30 May 1744

Read the first and second time by especial Order and will Pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table

A Bill from the Lower House by Mess^{rs} Ennalls and Hindman Entituled an Act for Relief of Francis O'Connor Robert Noble of Dorchester County Planters, Joseph Richardson of the said County Shoemaker languishing Prisoners in Dorchester County Goal, Thomas Joy a languishing Prisoner in Talbot County Goal, Cornelius Mahany of Cecil County Taylor a languishing Prisoner in Cecil County Goal, and Robert Floyd in Queen Anns County Goal thus Subscribed

By the Lower House of Assembly 28 May 1744

Read the first Time and Ordered to lie on the Table.

Signed p Order M Macnemara Ct Lo Ho.

p. 37

By the Lower House of Assembly 30 May 1744

Read the second time and will pass

Signed p Order M Macnemara Ct Lo Ho.

Read the first time in this House and Ordered to lie on the Table
Adjourned till to Morrow Morning ten of the Clock.

May 31

Thursday Morning 31st May 1744

This House met again according to Adjournment

Present as Yesterday

The Journall of the Committee of Accounts is brought from the Lower House by Mess^{rs} Gale and Worthington thus subscribed

31 May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Ct Lo Ho.

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

U. H. J.

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill entituled an Act continuing an Act of Assembly of this Province Entituled an Act for raising and issuing Money for maintaining his Majestys forces in this Province and for transporting them to the Place of Rendezvous in the West Indies and will not pass and sent with the following Message by Philip Thomas Esq^r

By the Upper House of Assembly 31 May 1744
Gentlemen

We have returned the Bill entituled an Act continuing Part of an Act of Assembly of this Province Entituled an Act for raising and issuing Money for maintaining his Majestys forces in this Province and for transporting them to the Place of Rendezvous in the West Indies, with a Negative since We cannot but imagine you are under some Mistake, with Regard to the Purposes and Uses for which the sum of 900£ in the Bill mentioned, is designed For You must be sensible, the Covering and Inclosing the House so as to protect and preserve the Building from the Injuries of Weather ought to be done forthwith, but the Money intended to be raised by the Bill for that Purpose, cannot be supposed to be so raised, as to be paid by Virtue of that Bill to the Governor in several Years, This evidently appears by the Report made to both Houses this Session, upon which in three Years there is no more than 578[£]..4^s..10½^d paid into the Loan Office for Ordinary Licenses; upon this short state We hope you will frame such a Bill as will answer the Purposes mentioned in the Preamble for covering and inclosing the House, so that the Money already expended may not be entirely lost.

Signed p Order J Ross Cl Up Ho.

An Engrossed Bill from the Lower House by Mess^{rs} Sheredine and Paca Entituled an Act empowering Mary Stokes Widow and Executrix of Humphry Wells Stokes late of Baltimore County Gent p. 38 deceased to sell and dispose of the Lands and Tenements therein mentioned to be sold for the uses and Purposes thereby directed thus subscribed

31st May 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara Cl Lo Ho.

Read and Assented to by this House and Ordered to be so subscribed

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
June 1

Friday Morning 1 June 1744

This House met again according to Adjournment

Present as Yesterday

A Message from the Lower house by Mess^{rs} Hall and Purnell

By the Lower House of Assembly 1st June 1744

May it please Your Honours

It being reported to this House by the Committee of Courts of Justice, that by a List delivered to them there is lodged in the Provincial Office several Journals of the house of Delegates for the Years 1664, 1666, 1671, 1676, 1681, 1683, 1686, 1688, 1692, 1697, 1699, 1701 and 1703, but that they are in loose Sheets And We are informed there are several Journals of the house of Delegates in the Possession of M^r Ross Clerk of the Council, which he said Benedict Leonard Calvert Esq^r when Governor made him a present of, and which he is willing to let M^r Macnemara Our Clerk have to transcribe, And it appearing that those and several Journals of this House in preceeding Assemblies; are not now upon Record in the Assembly Office, We propose to Your Honours, that they may be fairly transcribed by the Clerk of this House in a Book or Books well and sufficiently bound for their more effectual Preservation; and that he may be allowed a reasonable satisfaction for the service when done; with which We desire Your Honours Concurrence and that he may be enabled to collect and receive the same, on his giving a Receipt to the Secretary of this Province, or to such other Person demanding it, in whose Possession any of the Journals of this House remain which are not recorded already in the Assembly Office, and that after their being fairly transcribed into a Book or Books, he be obliged to return them without Diminution

Signed p Order M Macnemara Cl Lo Ho.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

The following Message is sent by Samuel Chamberlain Esq^r

By the Upper House of Assembly 1 June 1744

Gentlemen

His Excellency the Governor has been pleased to lay before Us Your Address, in Answer to his Message recommending to You to make a Provision for supplying the County with Arms and Ammunition for its necessary Defence, in which Address you attempt to
p. 39 lay the Blame on this house for refusing to pass the Bill you sent up this Session for raising four pence p Hogshead

You cannot but be sensible that this House would very heartily U. H. J. [concur] with yours in any Measures we could with Honour come into, and that would enable his Majestys subjects in this Province to defend themselves and annoy their Enemies

You know that the Money heretofore raised to purchase Arms and Ammunition has always been paid into the hands of the Treasurers by the Naval Officers and the Application directed by the Governor and Council, You also know that this Money has been justly and honestly applied and a full and fair Account rendered of it

After all this We believe the unbiased Part of Mankind will be surprized at the Innovation You endeavour to Introduce, especially as the Impropriety of it has been sufficiently shewn in our former Messages to which were it necessary We could easily add other Arguments which seem to Us to be very Cogent

We now earnestly recommend to your serious Consideration Whether there ever was a more pressing Occasion for Our putting Ourselves in a Posture of Defence, than at this Critical Juncture; when a War is declared by the French against Our Sovereign, and that the French are numerous and well disciplined on this Continent and want neither skill nor Industry to Stir up the Indians against his Majestys subjects We hope You will consider these things with the Attention they deserve, that they will have their due Weight with you, and that You will be of Opinion that the best Proof you can possibly give of your Loyalty to his Sacred Majesty, and Regard for the security and Welfare of your Constituents, will be to come into such Measures, as self Preservation seem to Us plainly to dictate, wherein You may depend on Our hearty Concurrence

Signed p Order J Ross Ct Up Ho.

Read the second time the Bill entituled an Act for the Relief of Francis O'Conner Robert Noble of Dorchester County Planters Joseph Richardson of the said County Shoemaker languishing Prisoners in Dorchester County Goal, Thomas Joy a languishing Prisoner in Talbot County Goal, Cornelius Mahany of Cecil County Taylor a languishing Prisoner in Cecil County Goal, and Robert Floyd in Queen Anns County Goal and will pass with the following Amendments, the Words, the Sheriffs fees being first deducted, to be added in 18th Line of the 5th Page after the Word, sale sent by Col^o Hammond

Read the second time the Bill entituled an Act for issuing Writs of Replevin out of the County Courts of this Province; and read the second time the Bill Entituled A supplementary Act to the Act entituled an Act for the Relief of Debtors and ascertaining the manner of tenders in Tobacco, and to the Supplementary Act thereto, and will not pass sent by Col^o Hollyday

A Message from the Lower House, by Mess^{rs} Harrison and Robins

U. H. J. By the Lower House of Assembly 1 June 1744
May it please your Honours

In Answer to your Message of this day by Samuel Chamberlain Esq^r We hope this Session is near a Conclusion and that therefore You will Excuse Us from Entering into any Dispute on a Subject
p 40 matter which has been fully considered and determined by this House, and We must therefore acquaint You that We have resolved not to give the Bill for Arms and Ammunition in any other Form than that sent up to your House this Session, as the same sufficiently provided for the Purpose Signed p Order M Macnemara Ct Lo Ho.

The Journal of Accounts is sent with the following Message by Edmund Jenings Esq^r

By the Upper House of Assembly 1 June 1744
Gentlemen

Upon perusal of the Journal of Accounts We find the several Omissions and Wrong Allowances viz. 1st By a Copy of the Governors Account laid before Your Committee of Accounts amounting to 30960th of Tobacco, We find You have only allowed the Quantity of 21810th of Tobacco, nor can We conceive any just Reason for disallowing any Part of the Quantity of 30960th except the two Articles of 120th Tobacco Each for the Death Warrants of John Lillingston & William Hill, for which the Masters of those Servants may be liable

2^{dly} We are informed Your Committee in the last Session refused to allow 1440th Tobacco due to the late Governor Ogle for 12 Proclamations concerning surplus Lands

3^{rdly} You have not made Allowances of the Charges and Expences so necessarily incurred for the Preservation of the Peace and Safety of the Province in discovery and preventing the ill Consequences of the late Indian Conspiracy in Dorset, and Somerset Counties

4^{thly} We do not find that you have allowed the late Attorney General his fees for the Prosecution of several Criminals amounting to 28000th Tobacco in 1737 and 2000th Tobacco since

5^{thly} There is no Allowance to the Secretary for fees due to him on the Prosecution of the said Criminals amounting to 21250th Tobacco, nor have You allowed the said Secretary his fees due on the Conviction of Basnett and Conolly, nor does any Reason appear why you have deducted the Quantity of 1641½th Tobacco from his other fees.

6^{thly} There are several Accounts laid before this House by the Printer, and sent now to your House, which We hope You will think proper to allow

7^{thly} We send You two Accounts due to M^r Ross Clerk of the Council and this House for publick services, the One for 3033

Tobacco and the other for a Ballance of 120..07..9 Currency Which U. H. J. We doubt not You will think reasonable to allow.

8^{thly} There is due to Captain Thomas Cresap 15£ Currency, for the Carriage of Arms from Annapolis to the back Woods, for the Publick service and hope You will allow the Account thereof now sent

9^{thly} We find an Allowance of 59..12..6 Currency to M^r Michael Macnemara, But as we were never made privy or consented to the services in that Article, We cannot consent the same shall stand

We desire You will rectify the Journal by the aforementioned Amendments
Signed p Order J Ross Ct Up Ho.

The several Paper Bills the Originals of which have passed this p. 41 House are sent to the Lower House by Col^o Plater

The following Message is sent by Col^o Lloyd

By the Upper House of Assembly 1 June 1744
Gentlemen

In Answer to your Message by Mess^{rs} Hall and Purnell We apprehend that it may be doubtful Whether a Resolution of both Houses would justify the Secretary against any private Person or Persons who may suffer by his parting with Papers for the keeping of which and all other Papers in his Office he has given large security, and if the Copies of them be necessary We think the Country would be as well served and secured if they were transcribed by his own Clerk, provided Care be taken that the Transcript be exact, We also think that under the Circumstances already mentioned the Secretary has the best Right to the Advantage (if there be any) of transcribing the Journals, which he is obliged to keep safely. But he declares his Willingness to wave his Right provided an Act passes which may effectually secure him for the Delivery of the said Journals that are in his Possession

As to the Journals which M^r Ross has in his Possession, he has acquainted us, that they were given by Governor Nicholson to Benedict Leonard Calvert Esq^r late Governor of this Province who gave them to him so that they are his Property, if he is willing to part with them We have no Occasion to interpose. But if Copies of them be of use, We think M^r Ross as capable as any Body to Transcribe them Which We doubt not he is willing to do upon the same Terms. as you are inclined to give your Clerk

Signed p Order J Ross Ct Up Ho

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 2^d June 1744

June 2

This House met again according to Adjournment

Present as Yesterday

An Engrossed Bill from the Lower House by Mess^{rs} Sheredine and Selby Entituled an Act for the Relief of Francis OConnor,

U. H. J. Robert Noble of Dorchester County Planters Joseph Richardson of the said County Shoemaker languishing Prisoners in Dorchester County Goal, Thomas Joy a languishing Prisoner in Talbot County Goal, Cornelius Mahany of Cecil County Taylor a languishing Prisoner in Cecil County Goal, and Robert Floyd in Queen Anns County Goal thus subscribed

2^d June 1744

Read and Assented to by the Lower House of Assembly

Signed p Order M Macnemara C^t Lo Ho.

Read and Assented to by this house and Ordered to be so subscribed the Paper Bill so endorsed is sent to the Lower House by Col^o Hammond

The Journal of Accounts is brought from the Lower house by Mess^{rs} Worthington and Gale

p. 42 By the Lower House of Assembly 2^d June 1744
May it please your Honours

In Answer to your Message of Yesterday by Edmund Jenings Esq^r with the Journal of Accounts, We have allowed of Captain Thomas Cresaps Account and added the same to the Journal as to the Objection to the Allowance given to M^r Michael Macnemara Our Clerk We cannot recede therefrom, and as to other Articles You have insisted should be added We cannot make such Allowances and therefore hope Youl pass the Journal as it now stands and herewith sent. Signed p Order M Macnemara C^t Lo Ho.

Adjourned till Monday Morning ten of the Clock.

June 4

Monday Morning 4 June 1744

This House met again according to Adjournment

Present

The honble	{	Benjamin Tasker Esq ^r	} Col ^o Charles Hammond	
		Edmund Jenings Esq ^r		} Daniel Dulany Esq ^r
		Col ^o James Hollyday		

Ordered that the Clerk of this house receive the same fees upon all private Bills passed this Session as are allowed by the Lower House to their Clerk

A Message from the Lower House by Mess^{rs} Worthington and Sheredine

By the Lower house of Assembly 4 June 1744
May it please Your Honours

We think proper to communicate to your Honours the annexed Report wherein Our Committee find several Bills said in several Naval Officers Accounts to be transmitted, but find no Credits in

the Trustees Accounts therefore We hope you will please to Join U. H. J. with us in Conference or otherwise in Order to take proper Measures to know wherefore the Bills therein mentioned have not been put to the Credit of the Province, or whether the same have been transmitted to them and likewise to know the Reason why the Naval Officer of North Patowmeck has not returned his Accounts of the Duty of 15^d p hh^d according to the Direction of the Act in that Case provided and We think it necessary to have an Account from the Trustees of what Bills have been protested amounting too so large a sum, that We may know what Naval Officers ought properly to be charged therewith supposing only as they only have Benefit by such Protests the Publick ought not to answer that Charge

Signed p Order M Macnemara Ct Lo Ho.

By the Committee of Accounts 2^d June 1744

Your Committee having inspected the Accounts Current from Mess^{rs} Samuel Hyde William Hunt and Robert Cruickshank Trustees in Great Britain from the Year 1736 to April 1743 of the 15^d p hh^d for the sinking Fund of the Paper Currency and the Naval Officers Accounts relating thereto do find that several Naval Officers have Charged the Province of Maryland with the following Bills remitted to the said Trustees which the said Trustees have not Credited the said Province with viz.

- 1737 Henry Morgans Bill on Lyde and Cooper for £17..16 remitted by George Plater Esq^r Naval Officer of Patuxent Katherine Playfays D^o Endorsed by Henry Massey for £10 remitted by Philip Lee Esq^r Naval Officer of North Patowmack
- 1738 John Boyd D^o Endorsed by John Brown for 13..17..1 remitted p D^o
- 1740 John Dormants D^o Endorsed by Robert Yates for 53..11..8 remitted by D^o
- 1741 James Mollinsons D^o Endorsed by Robert Brown for £25..14 remitted by D^o
- 1737 Levin Gale Esq^r Naval Officer of Pocomoke on Neal Buchanan for £65..14..4½ remitted by himself
- 1738 Ditto on Ditto for £71..13..1½ remitted by Ditto
- 1739 Ditto on Ditto for £74..2..6 remitted by Ditto
- 1740 Ditto on Ditto for £99..14..4½ remitted by Ditto
- 1741 Randolph Johnsons Ditto on Buchanan for £4.—6 remitted by Philip Lee Esq^r Naval Officer of North Patowmack

Your Committee observe that there is no Account from the Naval Officer of North Patowmeck for the Duty of 15^d p hhd since the 29 September 1742

Your Committee further Observe that the said Trustees have charged the said Province for noting and Protesting Bills of Ex-

U. H. J. change from the 16th July 1734 to 1740 the sum of £13..7..8 which said sum your Committee cannot find accounted for by any of the Naval Officers and are informed the constant Practice of the several Naval Officers are to Order their Correspondents in London to pay any Bills they shall remit on the Account of the 15^d p hh^d on their own Account and to return the same Bills to them if protested in Order to take to themselves the Damages arising on such Protests

Your Committee also observe that the said Trustees have Credited the Province on 2^d of May 1738 with Samuel Chews Exchange on Hyde for £10 and on 9th of May 1741 with William Grayhams Exchange on Hicks & Gilpin for £29..16 which bills not being charged to the Province in any Naval Officers Accounts Your Committee humbly Conceive the same Bills were remitted by some Naval Officer or Officers in Lieu of some Bill or Bills formerly charged to the Province and returned to him or them Protested all which is submitted to the Consideration of the House

Signed p Order Rich^d Dorsey Ct Com.

The following Message is sent by Daniel Dulany Esq^r

By the Upper House of Assembly 4 June 1744

Gentlemen

In Answer to Your Message of this day by Mess^{rs} Worthington and Sheredine this house hath appointed Philip Thomas and Daniel Dulany Esq^r to confer immediately with such Members as your House shall appoint upon the Subject matter of the said Message

Signed p Order J Ross Ct Up Ho.

A Message from the Lower House by Mess^{rs} Worthington and Wootton

By the Lower House of Assembly 4 June 1744

May it please your Honours

p. 44 In Answer to your Message of this day by Daniel Dulany Esq^r this house hath appointed M^r Worthington Col^o King Major Sheredine and M^r Wootton Conferees to join with the Members appointed by your House who are ready to attend immediately

Signed p Order J Ross Ct Up Ho.

Adjourned till three of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill entituled an Act for the Tryal of all matters of Fact in the several Counties where they have arisen or shall arise, and will not pass sent by Philip Thomas Esq^r

Read the Journal of Accounts, and will not be assented to, sent by Col^o Lloyd

At a Conference appointed by the Upper and Lower Houses of U. H. J.
Assembly 4 June 1744

Present

the honourable { Philip Thomas Esq^r
Daniel Dulany Esq^r } of the Upper house

M^r Thomas Worthington }
Col^o Robert King } of the Lower House
Major Thomas Sheredine }
M^r Turnor Wootton }

Who make Choice of Philip Thomas Esq^r Chairman and Richard Dorsey Clerk and agree to make the following Report viz.

It appears to your Conferees that the facts mentioned in the Report of the Lower House are true

The Trustees not mentioning in their Accounts from which of the Naval Officers they received upon Bills upon which the Charge of 13..7..8 for noting and protesting Bills has arisen makes it difficult how or to whom to apply for that Money which appears to your Conferees to belong of Right to the Country and therefore think it would be proper to write to the Trustees, that they would mention in all their future Accounts the Naval Officers from whom they shall receive any Bills of Exchange, and also, that they send in an Account upon what Bills the said Charge arose and who remitted them

That the Representatives of Col^o Levin Gale be required to shew how the Money Charged as for Bills of Exchange drawn on M^r Neil Buchanan for the Years 1737, 1738, 1739 and 1740 amounting in all to 310..14..4½ for which no Credit is given by the Trustees has been paid

That the Representatives of Philip Lee Esq^r deceased be required to render an Account from 29th of September 1742, and to pay what shall appear to be due thereon, and also to render an Account of the several Bills following viz.

Catherine Playfays Bill Endorsed by Henry Massey	10..—..—
John Boyds Bill Endorsed by John Brown	13..17.. 1
John Dormants Bill Endorsed by Robert Yates	53..11.. 8
James Mollinsons Bill Endorsed by Robert Brown	25..14..—
Randolph Johnsons Bill on Buchanan	4..—.. 6

And that George Plater Esq^r be desired to let both Houses know what is become of Henry Morgans Bill of 17[£]..16^s on Lyde and Cooper

And Your Conferees think that the Commissioners or Trustees for Emitting Bills of Credit should write as well to the Trustees in London, as to the several Persons herein before mentioned to com-

U. H. J. ply with the several matters above specified All which is submitted to both Houses

P. Thomas

R. King

T. Sheredine

D. Dulany

Tur. Wootton

Tho^s Worthington

The Address of this House to his Majesty being read and approved of is as follows

To the Kings most Excellent Majesty

The humble Address of the Governor and the Upper House of Assembly of your Majestys Province of Maryl^d

We Your Majestys most dutiful and Loyal Subjects the Governor and the Upper House of Assembly of your Majestys Province of Maryland in Assembly convened beg Leave to express Our Detestation of the late insolent Attempt of invading your Majestys Dominions in favour of a Popish Pretender to your Majestys Crown, in violation of the most Solemn Treaties, An Attempt which had it succeeded must, instead of the Blessings which Your Majestys subjects now enjoy under your mild and Auspicious Government, have involved them in all the Calamities incident to Bigotry and Slavery weakened the Protestant Interest in General, and deprived it of its greatest support; But We hope and sincerely pray that the same Providence which Protected Your Majesty in the day of Battle, when your Sacred Person was so gloriously expressed in the Cause of Liberty and for the General good of Europe will ever guard your Majesty from the Machinations of your Enemies and turn all their mischievous designs against You to their own Shame and Confusion

We beg Leave to congratulate Your Majesty, as well on the birth of the Young Prince Son to his Royal Highness the Prince of Wales, as on the Marriage of her Highness the Princess Louisa with the Prince Royal of Denmark A Race of Protestant Princes descending from your Majesty cannot but give in particular the most pleasing Prospect to your Loyal Subjects of having their Religion and Liberties effectually secured to them and their latest Posterity and in General to all who profess themselves Protestants of having glorious Assertors and Defendors of their Religion and the Rights of mankind

May Your Majestys Reign be long and Prosperous and may the British Throne be ever filled with Princes descending from your Majesty and inheriting Your Royal Virtues These are the sincere Wishes and Prayers of

May it please Your Majesty Your Majestys most Loyal and devoted Subjects and Servants

Tho Bladen

Benj^a Tasker Presid^t

p. 46 Col^o Hammond is sent to the Lower House to acquaint the Speaker that his Excellency requires him and the rest of the Mem-

bers of that House to attend him immediately in the Upper House U. H. J. to see the Bills passed both Houses this Session receive the Assent

The whole House attend and by their Speaker present to his Excellency the following Bills

N^o 1 An Act to encourage the destroying Bears in Worcester County

2. An Act for making a Chappell already erected in Prince Georges Parish in Prince Georges County a Chappell of Ease

3. An Act for dividing Saint Stephens alias North Sassafras Parish in Cecil County

4. An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer

5. An Act to prevent cutting up Tobacco Plants destroying of Tobacco and Tobacco Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences

6. An Act continuing an Act to prevent the injuring of Harbours within this Province and for repealing the Act therein mentioned

7. An Act for reviving and continuing an Act of Assembly of this Province Entituled an Act for ascertaining the Gauge and Tare of Tobacco hogsheads and to prevent cutting cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight

8. An Act to enable Richard Dorsey of Anne Arundel County Gent to sell and dispose of forty nine Acres of Land part of the Estate of Mary Woodward and Elizabeth Woodward Infants

9. An Act continuing an Act Entituled A supplementary Act to an Act entituled an Act laying an Imposition on Negroes and several sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province

10. An Act for the Naturalization of James Richard of Baltimore County

11. An Act empowering the Justices of Prince Georges County to levy on the Taxable Inhabitants of Queen Annes Parish in the said County the sum of 200£ Current Money for the uses therein mentioned

12. An Act empowering the Justices of Prince Georges County to levy on the taxable Inhabitants of King Georges Parish in the said County the sum of 250£ Current Money for the uses therein mentioned

13. A Supplementary Act to an Act entituled an Act for laying out & erecting a Town on the south side of the Eastern Branch of Potomack River in Prince Georges County near a Place called the Garrison Landing

U. H. J. 14. An Act appointing Commissioners for dividing Saint Marys County into four Parishes, and to erect that part of All Faith and King and Queen Parish lying in Charles County into a distinct Parish

15. An Act for Building a Prison in Worcester County.

16. An Act to enable Samuel Wilson Executor of Margaret Lindow to Convey certain Lands to David Wilson

P. 47 17. An Act continuing an Act of Assembly of this Province entituled an Act for the more effectual Punishment of certain Offenders and for taking from them the Benefit of Clergy

18. An Act continuing an Act of Assembly of this Province Entituled an Act for the more effectual Punishment of Negroes and other slaves, and for taking away the Benefit of Clergy from certain Offenders and to an Act entituled an Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other Slaves and directing the manner of trying Slaves

19. An Act reviving an Act of Assembly entituled an Act for the Benefit of the Poor and Encouragement of Industry

20. An Act for Punishment of Horse Stealers and other Offenders

21. An Act to enable the Rector Vestrymen and Church Wardens of Saint James's Parish in Anne Arundel County to Lease Lands belonging to Saint James's Church in the manner and to the uses therein mentioned

22. A supplementary Act to the Act entituled an Act for laying out and erecting a Town at a Place called Long Point on the West side of North East River in Cecil County

23. An Act to enable certain Commissioners therein named to lay out forty Acres of Land into Eighty Lots for a Town on Indian River, in Worcester County, as also forty Acres of Land into Eighty Lots, at the Head of Asseateague Creek at a Place called the Trap, for a Town

24. An Act for dividing Allhallows Parish in Worcester County and for erecting a Parish out of the same by the Name of Worcester Parish

25. An Act for laying out the Town anew commonly called Upper Marlborough Town in Prince Georges County

26. An Act empowering the Vestry men and Church Wardens of King Georges Parish in Prince Georges County to purchase three Acres of Land in the said Parish to build a Chappell of Ease on, and to empower the Justices of Prince Georges County to levy on the Taxable Inhabitants of the said Parish in the said County the sum of 800£ Current Money for the uses therein mentioned

27. An Act impowering Mary Stokes Widow and Executrix of Humphry Wells Stokes late of Baltimore County Gent deceased to

sell and dispose of the Lands and Tenements therein mentioned to U. H. J. be sold for the uses and Purposes thereby directed

28. An Act for the Relief of Francis OConner, Robert Noble of Dorchester County Planters, Joseph Richardson of the said County Shoemaker languishing Prisoners in Dorchester County Goal, Thomas Joy a languishing Prisoner in Talbot County Goal, Cornelius Mahany of Cecil County Taylor a languishing Prisoner in Cecil County Goal and Robert Floyd in Queen Anns County Goal

The Engrossed Bill entituled an Act to remedy some defects in an Indenture of Bargain and Sale made and executed by Michael Curtis and Sarah his wife late of Saint Marys County deceased and Charles Carroll Esq^r late of the City of Annapolis deceased was presented p. 48 to his Excellency but was laid by as thereof he would be advised.

After which his Excellency was pleased to conclude this Session with the following Speech

Gentlemen of the Lower House of Assembly

Having given you sufficient Time to answer all the good ends I called you together for, and having recommended to you the most necessary Measures whereby to acquit yourselves with a becoming Loyalty to our Sovereign, and with Honour to your Country, I have the mortification to find you have been extremely wanting in that Part of your Duty which to me seems of the greatest Consequence

I must own you set out with making great Professions of Duty to his Majesty and Zeal for your Country; but how those Professions have been made good the Journals of your House will too well testify; At this dangerous Juncture when we have Advices of an Invasion against his Majestys Dominions in Europe, and of the Actual Declaration of a War with France, and altho you have all the Reason in the World to be assured Our Enemies on this Continent will leave nothing unattempted to seduce from us the Friendship of the Six Nations of Indians; you have denied to make the common and ordinary Provision for the defence of the Province notwithstanding the repeated Orders and Admonitions of the Lords Justices of Great Britain to that Purpose and the full conviction of your own Consciences of the necessity of such Provision and the Danger of not making it. Vain will be the Assertion and it will in no manner answer the Charge against you upon this Head to say you offered a Bill that gave a fourth part more than was expected, Tis true such a Bill was sent up, but it was so different from any Law ever made in this Province, and you had taken Care to frame it in such a manner, that you knew the Upper House could not possibly agree to it, unless they would cooperate with You in renewing and confirming a scandalous Calumny upon this Government raised by a former Lower House of Assembly; the Falsehood of which I dare say, there is not a Man of you that is not sensible of: Besides the Bill is in

U. H. J. other respects open to so many Objections, that the Purposes designed thereby, may by many Accidents be entirely frustrated

As I have now fairly represented to yourselves and the World, so much of your Conduct, as must appear extremely exceptionable, and deficient in the Duty you owe to your Sovereign, and your own Safety, I shall now to convince you of my sincere Inclinations to put the best Construction possible upon any part of your Proceedings, readily acknowledge my satisfaction in the Acquiescence you have shewn to that part of my Message where I say, It is upon the Presumption of those Loyal Principles which you so largely profess on every Occasion, that I am thoroughly assured of your being convinced of the Necessity of making good any Sum that shall be stipulated to be paid to the Indians, tho it should exceed the 300£ Sterling
 p. 49 mentioned in your Address of the last Session Your Approbation, which I infer from your silence on that head, will enable me to act with the greater Certainty, of making good any sum that shall be found necessary to be given the Indians at this Time, when their Friendship is of so great Consequence to all his Majestys Dominions upon this Continent, and you may depend upon it, I shall strongly Charge the Commissioners to be as frugal of the Countrys Money as possible

As to your Address of this Afternoon I am surprized the Answer I gave you last Session, with regard to the 12^d ¶ hh^d does not prove satisfactory; since I pointed out the Method of informing yourselves in that particular; And as to the 14^d ¶ Ton I must refer you to his late Majesty King William's Decision about that Duty which you are very well apprized of, and which will shew, you have no Right to be informed of it

Gentlemen of the Upper and Lower Houses of Assembly

The Business of this Session being at an end, I do hereby Prorogue this Assembly till the first Tuesday in September next and you are to take Notice you are Prorogued to that day accordingly

Thus Ends this Session of Assembly begun and held at the City of Annapolis the first Day of May and Ending the fourth Day of June following in the thirtieth year of his Lordships Dominion and in the seventeenth year of his Majestys Reign Anno Domini 1744

Jn^o Ross, Cl.

PROCEEDINGS
THE LOWER HOUSE OF ASSEMBLY

At a Session of Assembly held at the City of Annapolis on Tuesday the first Day of May Anno Domini 1744 in the Thirtieth year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. his Excellency Thomas Bladen Esq^r being Governor, Appeared in the Lower House of Assembly the following Members Viz.

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The Honourable Colonel Edward Sprigg, Speaker
ffor St Mary's County; M^r James Waughop, M^r James Swann
ffor Kent County; M^r Richard Gresham, M^r John Gresham
ffor Anne Arundel County; Doctor Charles Carroll, Major Henry Hall, M^r Thomas Worthington.
ffor Calvert County; M^r Walter Smith, M^r James Weems, M^r John Brome
ffor Charles County; Captain Richard Harrison
ffor Somerset County; Colonel Robert King, William Stoughton
Colonel George Gale
ffor Talbot County; M^r Nicholas Goldsborough, M^r Robert Lloyd, M^r William Thomas, M^r John Goldsborough.
ffor Dorchester County; Captain Bartholomew Ennalls, Capt. Jacob Hindman
ffor Cecil County; M^r Benjamin Pearce, Captain Nicholas Hyland
ffor Baltimore County; Captain Thomas Sheredine
ffor Prince George's County; M^r John Magruder, M^r Turnor Wootton
ffor the City of Annapolis; Captain Robert Gordon, Colonel Benjamin Tasker.
ffor Queen Anne's County; M^r Robert Norrest Wright, M^r Thomas Hammond

A Sufficient Number of Members to compose a Lower House of Assembly being Convened, at the Stadt House, Ordered that Col. King and M^r James Weems acquaint his Excellency the Governor therewith; They return and Acquaint M^r Speaker the Governor will be in the Council Chamber presently

Col^o Hammond and Dulany Esq^r from the Upper House acquaint M^r Speaker, the Governor Requires the Attendance of the Lower House of Assembly in the Council Chamber.

L. H. J. M^r Speaker left the Chair, and Attended with the present Members of the Lower House of Assembly, went to the Council Chamber, where his Excellency made the following Speech (See page 448)

p. 380 The Lower House Returned; M^r Speaker resumed the Chair. The House proceeded to Appoint Doctor Carroll, M^r Joshua George, Col. Colvill, M^r Stoughton, M^r Philip Hammond, M^r Calder, M^r Robert Lloyd, M^r Nicholas Goldsborough, a Committee of Laws.

M^r Smith, M^r Magruder, M^r Worthington, M^r Pemberton, Major Hall, M^r John Gresham, a Committee of Elections and Privileges.

M^r Smith, M^r Wootton, Major Henry Hall, M^r Thomas M^r John Gresham, a Committee to enquire into the State and Condition of the arms and Ammunition, and accounts relating thereto

Col. Colvill, Capt. Sheredine, M^r Pemberton, M^r Weems M^r Philip Hammond, a Committee to Inspect the Accounts and proceedings of the Commissioners, or Trustees for emitting Bills of Credit, established by Act of Assembly

M^r Magruder, M^r Stoughton, M^r Wilson, Doctor Carroll M^r Joseph Hall, M^r Nicholas Goldsborough, M^r Pemberton, M^r Osborn Sprigg, a Committee of Aggrievances, and Courts of Justice

Col. King, Captain Sheredine, M^r Worthington, M^r Wootton Col. Gale, a Committee of Accounts

The House Adjourns until the Morrow Morning at 9 of the Clock

May 2

Wednesday Morning May 2. 1744

The House met according to Adjournment. The members present yesterday were called over and all appeared

Col. Colvil, M^r Thomas Wilkinson, M^r Calder, M^r Philip Hammond, M^r Pemberton, and M^r William Wilkinson appeared this morning

The House taking into Consideration his Excellency the Governor's Speech, Ordered, That the Committee of Laws prepare and bring in an Answer thereto.

On Motion of a Member, that a Bill be prepared and brought in, to provide Arms and Ammunition for the Defence of this Province, Ordered, That the Committee of Laws do prepare and bring in a Bill accordingly

On Motion of a Member, That a Congratulatory Address to his most sacred Majesty on the failure of the late intended Invasion of his Kingdoms, be prepared, Ordered, That the Committee of Laws prepare and bring in such Address,

Ordered, That M^r Speaker Issue his Warrant to the Secretary of this Province, to make out new Writs of Election, directed to the Sheriffs of Charles County, and Baltimore County, to Elect New

Members in the Room of Cap^t Paca and Major Yeates both De- L. H. J.
ceased; and to the Sheriff of Somerset County, to Elect a Member
in the room of Cap^t Martin, who since his Election, hath accepted
of the Office of Sheriff of Worcester County.

Ordered That M^r Worthington acquaint the Reverend M^r Edgar
he is desired to Read Divine Service morning and Evening during
this session

William Stoughton Esq^r and Col. Gale were ordered to go to the
Upper House, to see M^r John Purnell, M^r Thomas Robins, M^r Parker
Selby, and Col. John Henry, ffour Representatives for Worcester
County, Qualify themselves, They return and acquaint M^r Speaker
they were qualified in the usual manner

The Gentlemen took their Seats in the House

The Governor communicated to this House the following answers
of the Lord Proprietary, viz.

The Lord proprietary's Answer to the Address of the Gentlemen
and Delegates of the ffreemen of the province of Maryland

C: Baltimore Gentlemen,

I Have given the Governor Orders to Receive and transmit to me,
any Proposition you have to make as an Equivalent in lieu of my
Land-Rents, arising within the province of Maryland, to be paid in
Sterling Money in Great Britain, in such manner and form as may
best suit me, and are most Conducive to the Welfare of my Tenants,
and not Repugnant to my just Rights C: B:

Given at London, this 30th Day of August 1743.

John Browning Secretary

By his Lordship's Command

The Lord Proprietor's Answer to the Address of the Gentlemen
and Delegates of the ffreemen of the Province of Maryland

C: Baltimore Gentlemen,

I Have Received your Address from M^r Paris, and you may be p. 381
assured of my having your Welfare sincerely at Heart, and of my
promoting it upon all Occasions to the utmost of my power.

As for the other Address you mention containing a Complaint of
many Aggrievances, it has not yet been presented to me; When it is,
I shall not be wanting, to contribute all in my Power to Redress the
real Grievances; and you may be Assur'd I shall always Consult with
and put confidence in the Candid Informations, and benevolent Dis-
positions, of the Honest and disinterested People of Maryland, and
as I have ever done, so I shall continue, to Dissent to any Law I
shall think not for the Public good.

I must own, I am at a loss how to conceive, proper Access to the
Public Registries of the Province could be denied you; and you may
be assured I shall have no objection to your Taxing your selves,

L. H. J. provided the same Tax be necessary, and not burdensome to my good Tenants

I am much obliged to the Gentlemen of the Lower House, for their kind concern, for the back settlements, and shall not be wanting on my part, to contribute all in my power to promote their Interest, as well as that of the Manufactures and Trade of Great Britain, and I make no doubt, but Justice, and the preeminency of the Laws are so well known in Maryland, that it gives me an Infinite Satisfaction to see the great Increase of his Majesty's Subjects in Maryland, within these Ten years.

As for any person or persons presuming to Represent his Majesty's faithful Subjects of Maryland, and my good Tenants, as a factious, clamorous people, or as disaffected to his Majesty, or Ill-disposed to me, you may be assur'd they have and will meet with that Discountenance they deserve; and as you have lately given Testimony of your sincere Attachment to his Majestys person and Government, and are so kind as to assure me, that you never had it in your thoughts to abridge me in any of my Rights, I may with great Truth likewise Affirm, that the Laws have and shall be my only guide

I am glad you seem to have so favourable an Impression of your Governor, who I am convinced will make your Happiness his sole care

Given at London, this 12th Day of August 1743. By his Lordship's Command
John Browning, Secretary

And also the Instructions from the Lords Justices. Ordered, That M^r Smith and Col. King, joyn the Committee of Laws, in preparing an Address to his Majesty, ordered also That they joyn the said Committee in preparing an Answer to the Governor's Speech.

M^r Magruder, from the Committee of Aggrievances &c acquaints M^r Speaker, that Committee had made Choice of M^r Edward Dorsey for Clerk: The House approves the Choice, and ordered that he Qualify himself. Major Henry Hall, Justice of the peace for Anne Arundell County, acquaints M^r Speaker, that M^r Dorsey qualified himself by taking the several Oaths to the Government required by Law, that he repeated the Test, and signed the oath of abjuration and Test, and took the oath of office

Col. King from the Committee of Accounts, acquaints M^r Speaker, that M^r Richard Dorsey, their former Clerk, is in an Ill State of Health, and that M^r Richard Burke, hath offered his service to officiate for him until he shall be able to attend: The House Accepts the offer, and Ordered that M^r Richard Burke Qualify himself.

William Stoughton Esq^r from the Committee of Laws, acquaints M^r Speaker, that Committee had made Choice of M^r William Marshe to be their Clerke: The House approves the Choice, and ordered that M^r Marshe Qualify himself.

Major Henry Hall acquaints M^r Speaker, that M^r Burke and L. H. J. M^r Marshe had Qualified themselves, by taking the several Oaths to the Government required by Law by repeating the Test, and by taking respectively the Oath of office

The House adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to adjournment &c. The following Message (See page 450)

Was sent to the Upper House by Capt. Sheredine and M^r Weems.

Col. Lloyd, from the Upper House delivers M^r Speaker the following Message (See page 450)

M^r Smith from the Committee of Elections and Privileges, and from the Committee to enquire into the State and Condition of the Arms and Ammunition &c. acquaints M^r Speaker, those Committees had Chosen M^r Thomas Jennings for Clerk to both Committees. The House Approves the Choice, and Ordered, That he Qualify himself. p. 382

Major Hall acquaints M^r Speaker, that M^r Jennings had Qualified himself in the usual Manner, by taking the Oaths to the Government &c. and by taking the Oath of office

The House made Choice of M^r Thomas Sparrow, for Door-keeper: Ordered that he Qualifie himself. Major Hall acquaints M^r Speaker, the Door keeper was qualified, by taking the several Oaths to the Government &c and by taking the Oath of office

The House adjourns until the Morrow morning at 9 of the Clock

Thursday Morning May 3. 1744.

May 3

The House met according to Adjournment.

M^r Smallwood, M^r Osborn Sprigg, M^r Joseph Hall, and M^r Chesley, appeared in the House

M^r Jonas Green, printer, on his Application, hath leave from the House to print the Votes and Proceedings, at the usual Allowance.

The House Adjourns until 2 of the Clock in the afternoon

Post Meridiem

The House met according to Adjournment.

M^r Calder from the Committee of Laws, brings in Address to the Governor, which was Read, Approved, and Ordered to be Ingrossed

The House Adjourns until the Morrow Morning, at 9 of the Clock

L. H. J.
May 4

Friday Morning, May 4. 1744

The House met according to Adjournment, &c.

M^r Speaker communicated to the House the following Letter, viz.
To the Honourable Col. Edward Sprigg, Speaker of the House of
Delegates of the Province of Maryland.

Sir,

Inclosed is a true Copy of a Letter, which was on the 26th Day of March last, delivered to his Excellency, Thomas Bladen Esq^r our present Governor of this province, from me, Relating to his Excellency's Building an House for the Governor of this province, for the time being, on my Land, without having purchased my Right to any part thereof, as by the Inclosed Copy will appear; and as his Excellency may probably in that Affair, be deemed but as an Agent for the Country, who may perhaps be esteemed as principals; and, as for that Reason it may be Apprehended, the Notice given to his Excellency, by the Original Letter, whereof the Inclosed is a Copy, is not sufficient for the purposes for which it was intended, as not being given to the party immediately concerned; I must therefore beg leave to take this my first opportunity since the last meeting of the Assembly (which was in the year 1742) to acquaint the Honourable the House of Delegates now in General Assembly convened, that his Excellency is now building an House for the Governor of this Province, for the time being, on a parcell of Land belonging to me, by virtue of a grant thereof from the present Lord Proprietary to my Late ffather, and Thomas Larkin Deceased, in the inclosed Letter mentioned; and upon a Division of which Tract by the Grantees, a Moiety thereof was allotted to my said late ffather, under whom I claim that Moiety, and on part of which his Excellency is now building the aforementioned House, without having purchased my Right to any part of it; and altho' that patent has, by a Decree of the Court of Chancery here, at the suit of the Lord Proprietary, been order'd and Decreed to be vacated and annulled; yet, from that Decree, there is an appeal depending at my Suit, in Order to Reverse it; and I am determined to Carry on the same, not only in one Court of Appeals here but in Case the Decree in Chancery be there affirmed, to Carry the same Home for a final sentence, before his Majesty in Council: And if I so prevail, as to Reverse that Decree in Chancery, I shall not only claim (as I now do) the Benefit of that Grant, as to my Moiety of the Land therein described, but shall also Claim as mine, as well the aforesaid House, which is now Building, as any other Buildings or Improvements, which shall be made on any part of my Moyety of that Tract of Land, by the said patent granted as aforesaid.

And I must now, Sir, beg leave to disavow my having any other intention, or design, in troubling you with those papers (which be

pleased to communicate to the Honourable the House of Delegates) L. H. J. than to secure my own private property, and to prevent any foundation for a future dispute between the Country and my self, concerning that Land, or any Improvements which are making, or may hereafter be made, on the same, by removing any Claim, or Right, in or by the Country, or by the Governor of this Province for the time being, in Behalf of the Country ; which might be Alledged or set up against me, had I suffered these Buildings and Improvements, on my Land, to have gone on, without giving these Notices.

I am, Sir, your Honour's, Most Obedient Humble Serv^t

May 3. 1744

S. Bordley

On Reading the aforesaid Letter, Ordered, That an Address be prepared to his Excellency, and that the Committee of Laws prepare p. 383 and bring in the same

The following Ingrossed Address, viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland :

The humble Address of the House of Delegates.

May it please your Excellency,

We his Majesty's Dutiful and Loyal Subjects, the Delegates of the ffreemen of the Province of Maryland, in General Assembly convened, return your Excellency Our Thanks, for not calling us together until this convenient season of the year, and for our Zealous Disposition expressed in your Speech, at the opening of this Sessions, for the safety and Protection of this province.

Our Steady Loyalty, and inviolable Attachment to his most Sacred Majesty's person and Government, and Regard to our own safety will necessarily engage us to take all proper measures in our power, for putting our Selves into a posture of Defense, at a Time when the State of Affairs in Europe is so uncertain, when there is so great a Probability of a French War, and Great Britain as by the late Advices, has been threatned with an Invasion. But we cannot omit telling your Excellency, that these are our only Motives for entering on such Measures, and that no Consideration of ffuture Misunderstandings, the putting a Stop to Public Business, nor any Consideration whatsoever, besides our Duty to our Sovereign, and our own Security, shall in the least influence us in this matter, or shall be an Ingredient in this, or any other Case, to induce us to lay Taxes on the people we Represent ; and we are therefore sorry your Excellency should have made use of arguments of this kind, with us, on the present occasion, as it may to strangers, seem to carry an Insinuation of our want of Loyalty to our King, or Duty to our Constituents ; althô we can with the greatest Truth say, that his Majesty has not in his Dominions more Dutiful and faithful Subjects than those of the Province of Maryland ; which Duty and ffidelity, as

L. H. J. we always hitherto have done, so we will embrace all proper opportunities of demonstrating.

Your Excellency's urging us in such strong Terms, to make a provision for Arms and Ammunition, is, no doubt, the Consequence of your Zeal for his Majesty's Service, and good wishes for the welfare and Quiet of this Province: But why the particular manner of making that provision, should be pressed in the like Terms, and coupled with the same Consequences, we acknowledge our selves at a loss to know. The late act for that purpose, which expired some years ago, had that in it, which proved the occasion of some of the misunderstandings, and the Stopping of Public Business, which happened before your Excellency's Arrival; and it is for avoiding the like ill Consequencies for the future, that we resolve to frame such Bills in a different manner; althô at the same time we must say, it was no good Cause for such procedure: and we flatter ourselves, your Excellency never intended to act the same part, during your administration.

We have always thought, the ways, the means, and manner of laying Taxes, were the peculiar privilege of this House; and as the End for making that provision is his Majesty's Service, and Defence of the Province, we cannot see how either can be affected by the manner of raising the Tax; provided such manner shall answer the intended purpose, equally with any other. We can only therefore say to that part of your Excellency's Speech, that althô his Lordship, the Lord Proprietary, has for some years past, under Colour of Law, taken, and still continues to take, to his own use, from the Inhabitants of this province, a Considerable sum of Money, a part of which, when heretofore legally raised, was applied for purchasing Arms and Ammunition; yet, in regard to the present Exigences of affairs, we will Speedily and heartily set about a Bill for that purpose, and shall form it in such a manner, as shall appear to us the most effectual for the End designed, and at the same time attended with the least and fewest Inconveniencies to the people.

We are determined, at all Times, to Exert our Zeal and unanimity for the Protection and happiness of the Province, which happiness cannot, we conceive, be effected by a defence from fforeign Enemies alone, the only thing your Excellency has been pleased to recommend to us; unless accompanied with wholesome Laws amongst ourselves: And therefore we hope, that no misunderstanding, or stop of public business, will now happen amongst us, but that we shall have your Excellency's Concurrence in making such Laws, at this Time, as the necessities of the people seem loudly to call for, at our Hands.

Was brought in, Read and assented to, and signed, by order of the House, by the Honourable Speaker.

M^r Smith, and M^r Calder, were ordered to acquaint his Excellency, this House hath prepared an address to him, and desires to know when and where he will receive it: They return and acquaint M^r Speaker, the Governor will be ready in half an Hours time to receive it in the Conference Chamber.

Ordered, That the Address be presented to his Excellency by M^r Smith and Thirteen more, They return and acquaint M^r Speaker they presented the Address. p. 384

On motion of a Member, that a Bill be brought in to Regulate officers fees, Leave is given.

Ordered, That the Committee of Laws prepare and bring in the Bill

On motion of a Member, That a Bill be brought in to oblige Attorneys to prove their List of fees before they obtain Execution. Leave is given.

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker a Bill entituled An Act for raising per Hogshead, on all Tobacco to be exported, for purchasing Arms and Ammunition for the defence of this Province; which Bill was Read the first time, and ordered to lie on the Table.

On Motion, that a Bill be brought in, to exempt Overseers, or those persons who have the Immediate Care of Slaves, from attending Musters: Leave is given.

Ordered, That the Committee of Laws prepare and bring in such Bill.

The House Adjourns until 2 of the Clock in the Afternoon.

Post Meridiem

The House met according to Adjournment &c.

An Address to his Excellency pursuant to order, was brought in, Read approved, and ordered to be Ingrossed.

The following Address viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland

The humble Address of the House of Delegates.

May it please your Excellency,

We with pleasure observe, that your Excellency is carrying on the Building designed for the Residence of the Gover^r of this province for the time being; and we are not in the least Doubtful but you are pursuing the directions of the Act of Assembly, that enables your Excellency to purchase four acres of Land within the fence of the City of Annapolis for the use of the public.

But as the property of the Land, so to be purchased and upon which such Building is, as we conceive now founded, nearly concerns the Country, and M^r Stephen Bordley, has delivered into our

L. H. J. House his Claim relating to the same Land, we shall be glad to Receive, and intreat your Excellency to lay before us, the ffounda-tion of the Countrys Right to the land aforesaid, that we may have it in our power to take such Right under our Consideration

Was brought in Read, and assented to, and signed, by order of the House, by the Honourable Speaker.

Messieurs Stoughton and Sprigg, were ordered to acquaint his Excellency, an address was prepared by this House, to be presented to him, and desire he would inform them when and where he will Receive it.

They return and acquaint M^r Speaker, the Governor will be Ready in an Hours time to Receive it in the Conference Chamber.

M^r Hammond from the Committee of Laws, delivers M^r Speaker a Bill entituled, an Act enlarging the Jurisdiction of the County Courts within this Province; which was Read the ffirst time, and ordered to lie on the Table

William Stoughton Esq^r and Three more, were ordered to present the Address to the Governor: They return and acquaint M^r Speaker they presented the Address

M^r Lloyd, from the Committee of Laws, delivers M^r Speaker a Bill entituled, An Act to exempt overseers from attending at Train-ings and musters; which was Read the ffirst time, and ordered to lie on the Table.

A Bill, entituled an Act to oblige attorneys to prove their List of fees before they obtain Executions for the same; was brought in, Read the ffirst time, and ordered to lie on the Table.

On motion of a Member, that a Bill be brought in, to prevent the Cutting up of Tobacco plants, destroying Tobacco and Tobacco Houses; Leave is given.

Ordered, That the Committee of Laws prepare and bring in the Bill accordingly.

On Motion of a Member, that a Bill be brought in, to Regulate Attachments; Leave is given.

Ordered, That the Committee of Laws prepare and bring in such Bill

The House Adjourns untill the Morrow Morning at 9 of the Clock.

May 5

Saturday Morning May 5. 1744

The House met according to Adjournment, &c.

All appeared except M^r Philip Hammond

On Motion of a Member, that a Bill be brought in for the Trial of all matters of ffact in the several Counties where they have arisen or shall arise, Leave is given

Ordered, That the Committee of Laws prepare and bring in such Bill. L. H. J.
p. 385

Doctor Carroll, from the Committee of Laws, delivers M^r Speaker a Bill entituled, an Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco Houses, and for ascertaining the punishment; which was Read the ffirst time, and ordered to lie on the Table.

On Reading the Bill entituled, An Act for raising ffour pence sterling per Hogshead, &c. the Question was put, Whether the person appointed to Receive the money raised by the ffour pence per Hogshead from the Naval Officers, shall be the Honourable Col. Edward Sprigg, or the Treasurers of the Province? Resolved, That Col. Edward Sprigg be the person appointed.

ffor Col. Sprigg.

M ^r Swann	M ^r W. Wilkinson	M ^r T. Hammond
Cap ^t Chesley	M ^r N. Goldsborough	Cap ^t Purnell
M ^r R. Gresham	M ^r J. Goldsborough	Capt. Robins
D ^r Carroll	Cap ^t Ennalls	Col. Henry
Major Hall	Cap ^t Hindman	M ^r Smith
M ^r Worthington	Major Sheredine	M ^r Weems
M ^r J. Hall	M ^r Magruder	M ^r Lloyd
M ^r Brome	M ^r Wootton	M ^r Thomas
M ^r Smallwood	M ^r Pemberton	M ^r O. Sprigg
Capt. Harrison	M ^r T. Wilkinson	Cap ^t Selby

ffor the Treasurers

M ^r Waughop	M ^r Stoughton	Cap ^t Hyland
M ^r Calder	Col. Gale	Capt. Gordon
M ^r J. Gresham	Col. Colvill	Col. Tasker
Col. King	M ^r Pearce	Capt. Wright

The Bill entituled an Act for raising ffour pence per Hogshead, on all Tobacco to be exported for purchasing Arms and Ammunition for the Defence of this Province; was Read the second time, and passed, and sent to the Upper House by Col. Colvill, and Thirteen more.

The House Adjourned until Monday Morning, at 9 of the Clock

Monday Morning May 7. 1744

The House met according to Adjournment &c.

The Members were Called, and all Appeared as on Saturday except Messieures John and Richard Gresham

M^r Lecompte appeared this Day

L. H. J. On Motion of a Member, that a Bill be brought in to Revive the Act for the Benefit of the poor and Encouragement of Industry; Leave is given

Ordered, That the Committee of Laws prepare and bring in such Bill.

On Motion of a Member, That a Bill be brought in to Issue Replevins out of the County Courts; Leave is given.

Ordered, That the Committee of Laws prepare and bring in such Bill.

William Stoughton Esq^r from the Committee of Laws delivers Mr Speaker a Bill entituled, an Act Reviving An Act of Assembly entituled, An Act for the Benefit of the poor, and Encouragement of Industry &c. which was Read the ffirst time, and ordered to lie on the Table.

On Motion of a Member, That a Bill be brought in to give an Encouragement for destroying Bears in Worcester County; Leave is given

Ordered, That the Committee of Laws prepare and bring in such Bill.

On Motion of a Member, that a Bill be brought in for the Regulation of Slaves, and for the effectual punishment of Slaves and other offenders and for taking away the benefit of Clergy from such offenders &c. Leave is given

Ordered, That the Committee of Laws prepare and bring in such Bill.

William Stoughton Esq^r from the Committee of Laws, delivers Mr Speaker a Bill, entituled, an Act for Issuing Writs of Replevin out of the County Courts, of this Province; which was Read the ffirst time, and Ordered to lie on the Table

William Stoughton Esq^r from the Committee of Laws, delivers Mr Speaker a Bill entituled an Act for Limitation of officers ffees; which was Read the ffirst time, and Ordered to lie on the Table

The House adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to adjournment, &c

The Bill entituled, an Act for enlarging the Jurisdiction of the County Courts, was Read and Committed for Amendments

p. 386 The Bill entituled An Act to oblige Attorneys to prove their Lists of ffees, before they obtain Execution for the same, was Read the second time and will not pass

On Motion that a Bill be brought in, for the speedy and Effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis printer: Leave is given

Ordered, That the Committee of Laws prepare and bring in such L. H. J. Bill

On Motion of a Member, That a Bill be brought in, to obtain out of the Loan office, such a Sum of Money, as formerly granted for other Prisons, to Build a prison in Worcester County; Leave is given.

M^r Speaker communicated the Governor's Answer to the Address of this House, Viz.

Gentlemen of the Lower House of Assembly

I am very much pleased, this time of our Meeting proves agreeable to you, and that you consider my urging you in such strong Terms to make a Provision for Arms and Ammunition, to proceed from my Zeal for his Majesty's Service, and good wishes for the Welfare and Quiet of this Province: This piece of Justice you do me may very fully Serve as an Answer to that part of your Address, where you seem to be at a Loss to know, why I so particularly recommend the manner of that provision; however to speak more plainly, you cannot but be sensible I Recommended such a Bill to you the last Session, which from the Consideration of the War with Spain, the Consequences naturally to be apprehended, and the Affair of the Indians, seemed then to be extremely necessary; notwithstanding which, you sent up a Bill of that kind so framed, that it was Impossible to Receive it without casting the most unjust Reflections on the Government; and besides that, in other Respects it will not possibly answer the purposes designed.

I shall be always very Tender of your privileges; but at the same time, I must own the Duty of my Station will ever oblige me to point out to you any Method I can suggest, as the most effectual for the service of our Sovereign, and safety of the Province; and to make use of what Reasonings I think may be of weight, to engage your Compliance; And althô your warm professions of Steady Loyalty, inviolable attachment to his most Sacred Majesty's person and Government, and regard for your own Safety, may make all other Arguments useless, and free me from every Apprehension of your not demonstrating that Loyalty and Regard for the Safety of the Province at this critical Juncture; yet I cannot be perswaded the Consideration of future Misunderstandings, and putting a Stop to public Business, can be of so Little weight as you seem to make them, in the Consultations of a Legislature, at any time, and much less at this Important Crisis, when his Majesty's Crown is in Danger of being invaded by a popish Pretender; This so alarming a Circumstance will give you an opportunity of avoiding the Insinuation you mention (which was very far from my thoughts) of your want of Loyalty to our King, and Duty to your constituents, by forwarding a Bill for provision of Arms in the usual manner, rather than

L. H. J. by going out of the common Road, entirely defeat so necessary and desirable an End.

I am not less surprized than concerned, you should so unnecessarily mention his Lordship's taking a considerable sum of money from the Inhabitants of this Province, under Colour of Law (as you call it); I hope you did not make that assertion for the sake of giving offence; I am confident his Lordship's known Honour and Justice, will guard him from the Effects of every such Imputation, and more especially in this particular Case, as you know the point you Hint at has been several years in Agitation, by way of Complaint to his Majesty; but so far from being brought to a Decision, that no petition or Application has yet been made to the Crown, by you, upon that Head, I am Certainly assured, his Lordship very heartily desires that Determination, not only for his own Sake, but for the real Interest and advantage of the province; since it is to be hoped there will be such an Acquiescence in the Royal pleasure, that our time and Debates may be better employed, than in contentions between Government and people; and which, in my opinion, are not necessary to be intermixed with our present proceedings

T. Bladen

On Motion of a Member, That a Bill be brought in, to raise a Sum of Money, to employ an agent in Great Britain, for the use of the Province of Maryland; Leave is given

Ordered, That the Committee of Laws prepare and bring in such Bill.

The House Adjourns until the Morrow Morning at 9 of the Clock

May 8

Tuesday Morning, May 8. 1744

The House met according to Adjournment &c.

M^r Philip Hammond, and messieurs John and Richard Gresham, appeared in the House

M^r Hammond Delivers M^r Speaker the following Report viz.
To the Honourable the House of Delegates

In Compliance with the order of this Honourable House, the last Session of Assembly, in September, Seventeen Hundred and fforty Two We the subscribers, with other Members in the said Order
p. 387 mentioned, and appointed to procure Copies of Records, and other papers and Evidences for carrying on the Addresses to the Kings most Excellent Majesty, and the Right Honourable the Lord Proprietary, concerning the Aggrievances complained of in the Several Resolves of this House in May Session Seventeen Hundred and Thirty nine, and to transmit the same to Great Britain; made application to the Respective Naval officers, by Letters of November the Thirteenth, seventeen Hundred and fforty Two, requesting them

to deliver us at Annapolis, the accounts and Instructions applied to L. H. J. his Excellency by the following Remonstrance:

To his Excellency Thomas Bladen Esq^r Governor of Maryland

The Humble Remonstrance of Charles Carroll, Thomas Worthington, and Henry Hall

May it please your Excellency

In pursuance of an Address of the House of Delegates of the abovesaid Province, to your Excellency, the last Session of Assembly, and part of your Excellency's Speech at the Conclusion of the said Session, in answer to the said address; application has been made to the Several Naval officers, to make out Copies of the orders by which they received the sum of ffourteen pence Sterling per Ton, on the Tonnage of all vessells Trading into this province, not owned therein; as also the sum of Twelve pence Sterling on every Hogshead of Tobacco exported out of the same; with accounts of the amounts of the same Respectively, for Two years last past; and such Copies and accounts duly to be proved, and authenticated, as prayed for; but to no effect, since none of them have Complied therewith.

We therefore humbly pray, that your Excellency will be pleased to order, that the said Accounts and orders, duly proved and Authenticated, as prayed for in the Address aforesaid, be Delivered to Doctor Charles Carroll and M^r Thomas Worthington, without any delay, in as much as the Shipping for this Season will be soon gone; and if not speedily comply'd with cannot be transmitted according to the Intentions and Intentions of the House. We are with all due Respect Your Excellency's most obedient Humble Servants

Charles Carroll Thomas Worthington Henry Hall.

In answer to which said Remonstrance, we Received from his Excellency the following Letter.

Annapolis, January 14, 1742

Gentlemen,

Having perused your Remonstrance, I think it proper to acquaint you, that I gave directions to the several Naval officers, at the prorogation of the last Sessions of Assembly, to deliver to you forthwith an Account of the authorities, under which they Received the Twelve pence per Hogshead, and ffourteen pence per Ton properly Authenticated.

I should be glad you would let me know how far these directions have been comply'd with, and wherein there has been a ffailure, that if it be necessary, I may give further orders, for the Satisfaction of the House, agreeable to the promise I made them at the breaking up of the Assembly. I am Gentlemen

Your most Humble Servant

Tho. Bladen

L. H. J. To which said Letter, we wrote his Excellency the following Answer

January 15. 1742

Sir,

When we receive from the several Naval officers (agreeable to the address of the House of Delegates) copies of the orders, by which they Receive the sum of ffourteen pence Sterling per Ton, on the Tonnage of all Shipping trading into this province, not owned by the Inhabitants thereof; as also the Sum of Twelve pence Sterling, for every Hogshead of Tobacco exported out of this Province and the account of the same respectively for Two Years last past, signifying under, or by what Laws they Receive the said Duties, and such Copies and Accounts proved on their Corporal oaths Respectively, before some Provincial Justice, and such proofs Authenticated under the Great Seal of this province, we shall, (agreeable to the Trust Reposed in us) Receive and transmit the same.

We had the Honour to signify to your Excellency, that this the Request of the House had not been Comply'd with, altho application had been made to the several Naval officers; and we hope, we shall stand excused, in not entering into any farther detail of the Subject, or explanation of your promise, which may serve to retard a compliance with the Request made, or, by speaking truth, give offence. With all due Respect we are,

Sir, Your most obedient Humble Servants

Thomas Worthington Henry Hall Charles Carroll

Sometime after the aforegoing, we Received from the several Naval officers, Certificates Attested, declaring, That by virtue of an Act of Assembly passed Anno Dom. One Thousand Six Hundred and Sixty one, Entituled an Act for Port Duties, and Masters of Ships, and an Order of his Majesty's in Council thereon, they received ffourteen pence per Ton on all Vessells Trading in and to this Province; except those Built in, or owned by the Inhabitants thereof; as also, by virtue of an Act of Assembly passed Anno Dom. Seventeen Hundred and ffour Entituled an Act for the Settlement of an Annual Revenue upon the Majesty's Governor, within this province, for the time being, they Received Twelve pence Sterling for every Hogshead of Tobacco exported out of this Province; But no Accounts of the amount of said Duties. Whereupon the following Letter was sent to his Excellency.

p. 388 Sir,

Application having been heretofore made to your Excellency, in pursuance of an Address of the House of Delegates, and your Excellencies answer thereto, for Copies of the Orders by which the several Naval Officers receive Twelve pence Sterling per Hogshead, on all Tobacco exported out of this Province; as also the Sum of

ffourteen pence per Ton, on the Tonnage of Shipping ; with Accounts *L. H. J.* of the amounts of the same Respectively, for Two years then last past.

Since the ffifteenth Day of January last we have Received from the Naval officers, papers said to be Copies of the Orders, by which they Receive the said Twelve pence and ffourteen pence, but no accounts of the Amounts of the same Respectively, as prayed for.

That the Trust Reposed in us by the House of Delegates may be discharged on our parts, we Repeat our prayer, that your Excellency will please to order, that accounts of the said Two Sums of Twelve pence per Hogshead, and ffourteen pence per Ton, Respectively for Two years then last past (as prayed for in the Address of the House of Delegates) duly proved and authenticated, be delivered to us, according to the prayer of the said Address.

The necessity of the Case, under the delays heretofore given to the prosecution of this affair, we doubt not will plead our Excuse, for the fresh Trouble we are obliged to give your Excellency on this occasion. We are Your Excellency's most obedient Servants

Philip Hammond Thomas Worthington
Charles Carroll Osborn Sprigg

To which said Letter we Received the following answer.
Gentlemen,

Upon the breaking up of the last Assembly, I gave Directions to the Naval officers, to transmit to you the Authorities, by which they Received the Twelve pence per Hogshead, and ffourteen pence per Ton, properly authenticated; and upon your Remonstrance of the 12th of January that those Directions had not been complied with, I sent fresh orders for that purpose

As for transmitting an Account of the amount of those Duties, the reasons given in my Answer, to the Address of your House, still seem to me Sufficient to prove it unnecessary, I am, Gentlemen

Your Most Humble Servant

T. Bladen

Which Answer concluded us from Applying further on that Head, nor could we procure the attestation to the Copies Received from the Clerk of the House, before June; and Capt. George Lawson, in the Ship Ranger, from Patuxent, being the ffirst good opportunity, we transmitted such Copies as we were able to procure, by the Master of the said Ship, to fferdinando John Paris, Esq^r in a Letter Dated the 1st of July 1743.

Phil. Hammond
C. Carroll
Henry Hall

Tho. Worthington
John Magruder
Turnor Wootton

Osborn Sprigg

L. H. J. M^r Speaker Communicated the Governor's answer to an Address of this House, viz.

Gentlemen of the Lower House of Assembly

I was very glad to Receive your Address concerning the Land whereon the House designed for the Residence of the Governor for the time being is Building, and am well pleased that you have enquired into the State of it, which I will readily lay before you.

The Land on which the Building is Carrying on, is part of a Tract of Land, for which Thomas Bordley Esq^r ffather of M^r Stephen Bordley mentioned in your Address, and Thomas Larkin Esq^r deceased, obtained a Grant or patent, which patent was vacated by a Decree of the Court of Chancery, and my Lord proprietary Restored to his former Right, which I make no doubt will to all unbiassed persons, appear to be clear and Incontestable, and his Lordship is now in actual Possession.

M^r Bordley however still pretended he had a Right to that Land, which thô I looked upon as merely insignificant, yet in view of Extinguishing all Claims and pretensions whatsoever, I agreed to pay him his own price viz. 200^l Currency; Upon making this Agreement I contracted with a fit person to see the work Carried on, and that it should be begun in March last; I likewise employed and agreed
p. 389 with workmen and Labourers to bring materials to place, and to proceed to Compleat the Building with all possible expedition.

After the foundation of the House was Dug, which Cost Sixty pounds, and part of the Materials were brought to place (to which M^r Bordley never once objected that I know of) I directed a Deed to be drawn, wherein was a Covenant to warrant the Land against the said Stephen Bordley, and all persons Claiming under him or his ffather only, and was Ready to pay the Money; This Deed M^r Bordley Refused to Execute, and would only Warrant against himself and any Claiming under him, which I thought so very unreasonable, that I could not in honour or prudence come into it; because he cannot possibly have any kind of Right but what he derives from his ffather; and his Refusal to secure the public against any Claim or pretence from that Quarter, seemed to me to indicate, that whatever Claim his ffather might have had, he was Conscious that he had not any; if he had not, he had no pretence to ask or receive any money; if he had the same Right or Claim that his ffather had, he ought not to have Refused executing the Deed; however if your House approves of such a Deed as he offered to execute, or any other, I will without hesitation pay the money.

As to his Lordship's Right, I will undertake that it shall be Vested in the public according to the intentions of the Act of Assembly without any expence to the Country, because I know his Lordship always intended it as a favour to the Country.

I have directed the Draught of the Deed to be laid before you, L. H. J. and shall in a few Days render you an account how every shilling of the money raised by Act of Assembly for Building the Governor's House, has been laid out, so far as I have had the Disposition of it, and what has been contracted or agreed for. T. Bladen

Daniel Dulany Esq^r from the Upper House, delivers M^r Speaker a Petition of the Justices, and other the Inhabitants, of Prince George's County, praying leave to bring in a Bill to raise a Sum not exceeding 2000^l to Build a new Court House. A Petition of the parishioners of Prince George's Parish in Prince George's County praying that the Chapel of Ease may be deemed the parish Chappel, And a petition of the upper and Remote Inhabitants of King George Parish in Prince George's County, praying leave to bring in a Bill, to enable them to build a Chappel of Ease; Which petitions were severally Endorsed By the Upper House of Assembly May 8, 1744 Read and referred to the Consideration of the Lower House of Assembly.

The Two last mentioned petitions were Read and granted.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to adjournment &c.

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker a Bill entituled, an Act to prevent the tumultuous meetings and other Irregularities of negroes and other slaves, and for the Trying and more effectual punishing of negroes and other Slaves, and for taking away the benefit of Clergy from Horse stealers and other offenders; which was Read the ffirst time, and ordered to lie on the Table.

The Bill entituled an Act to exempt overseers from attending at Trainings and Musters; was Referred for the second Reading on the Thirtieth Day of June next

On Reading the Bill entituled an Act reviving an Act for the Benefit of the Poor and Encouragement of Industry; the Question was put, whether the said Bill shall pass or not? Resolved in the Affirmative.

ffor the Affirmative

M^r Waughop
Capt. Chesley
M^r Calder
M^r Stoughton
Col. Gale
M^r Lloyd
M^r Pearce
Capt. Hyland

D^r Carroll
M^r Phil. Hammond
Major Hall
Col. Colvill
M^r Magruder
M^r Wootton
M^r O. Sprigg
Capt. Gordon

M^r Worthington
Capt. Harrison
Col King
Col. Tasker
M^r Pemberton
Capt. Wright
M^r T. Wilkinson
Col. Henry

L. H. J.

for the Negative

M ^r Swann	M ^r Smallwood	M ^r Lecompte
M ^r R. Gresham	M ^r W. Wilkinson	Major Sheredine
M ^r J. Gresham	M ^r N. Goldsborough	M ^r T. Hammond
M ^r Smith	M ^r Thomas	Capt ^t Purnell
M ^r Weems	M ^r J. Goldsborough	Capt. Robins
M ^r J. Hall	Capt. Ennalls	Capt. Selby
M ^r Brome	Capt. Hindman	

Which Bill was accordingly Indorsed, and sent to the Upper House by Col. Gale and M^r Goldsborough

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker a Bill entituled An Act for the Speedy and effectual publication of the Laws of this Province, and for the Incouragement of Jonas Green, of the City of Annapolis, Printer ;

p. 390 Which Bill was Read the ffirst Time, and Ordered to lie on the Table

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker several Petitions from St. Mary's, Cecil, Talbot, Somerset, and Prince George's County's, Indorsed. Referred to the Consideration of the Lower House of Assembly :

On Leave given, M^r Calder, from the Committee of Laws, brings in a Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled An Act laying an Imposition on Negroes, and Several Sorts of Liquors Imported, and also on Irish Servants to prevent the Importing too great a Number of Irish Papists into this Province, Which Bill was Read the ffirst time, and ordered to lie on the Table.

On Leave given Doctor Carroll, from the Committee of Laws, delivers M^r Speaker, a Bill entituled An Act to prevent injuring Harbours within this Province, and for Repealing the Act therein mentioned ; Which Bill was Read the ffirst time, and Ordered to lie on the Table.

William Stoughton Esq^r from the Committee of Laws, brings in a Congratulatory Address to the King's most Excellent Majesty ; which was Read, and Ordered to lie for further Consideration.

The House adjourns until the Morrow Morning, at 9 of the Clock

May 9

Wednesday Morning May 9. 1744

The House met according to Adjournment &c.

The Petition Referred from the Upper House, of divers the Inhabitants of St. Stephen's alias North Sassafras Parish, in Cecil County, praying leave to divide the Parish, after the Death or Removal of the present Incumbent.

The petition of the takers up of the Lots in Charles Town, in L. H. J. Cecil County, praying leave to bring in a Bill, to enable them to erect a public Wharff and Warehouse &c. Read and granted

The petition of Sundry Inhabitants and free holders, on the Upper Side of the Eastern Branch of Potomack, in Prince Georges County, praying leave to bring in a Bill to divide the said County near the Eastern Branch, and Build a Court House; Read and Granted.

The petition of the Subscribers, the Sheriff Magistrates &c of St. Mary's County, praying to divide the said County into more Parishes than are at present, Read and granted

The Address to the King's most Excellent Majesty, was Read, approved, and ordered to be Ingrossed

Colt. Henry Brings in a Bill Entituled, An Act to encourage the Destroying of Bears in Worcester County; which was read the first time, and ordered to lie on the Table

The petition of the Magistrates, and others, of Saint Mary's County, praying leave to bring in a Bill, to raise a Sum of Money on the Taxable Inhabitants of the said County, to Build a Work-house; Read and granted

The petition of the Justices, and other Inhabitants of Prince George's County, praying leave to bring in a Bill to raise a Sum, not Exceeding Two Thousand Pounds, Current Money, to build a Court House; Read and Granted

Philip Thomas Esq^r from the Upper House delivers M^r Speaker the Bill entituled, An Act for raising four pence Sterling per Hogshead, on all Tobacco exported &c Indorsed (See page 453)

James Hollyday, Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act for the Benefit of the poor, and Encouragement of Industry, Indorsed (See page 454)

Which Bill was then Read and passed for Ingrossing.

p. 391

M^r Wootton brings in a Bill Entituled An Act to divide Prince Georges County, and to Erect a new County on the Upper part thereof; which was Read the first time, and ordered to lie on the Table.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to adjournment &c.

On Reading the Bill Entituled An Act for raising four pence Sterling per Hogshead, &c with the Amendments proposed by the Upper House, the Question was put, Whether the House Agrees to the Amendments, proposed or not? Resolved in the negative.

L. H. J.

ffor the Negative,

M ^r Waughop	M ^r J. Hall	M ^r Lecompte
M ^r Swann	M ^r Brome	M ^r Pearce
Capt. Chesley	M ^r Smallwood	Cap ^t Hyland
M ^r R. Gresham	Capt. Harrison	Major Sheredine
M ^r J. Gresham	M ^r W. Wilkinson	M ^r Magruder
D ^r Carroll	M ^r N. Goldsborough	M ^r Wootton
M ^r Phil. Hammond	M ^r Lloyd	M ^r O. Sprigg
Maj. Hall	M ^r Thomas	M ^r Pemberton
M ^r Worthington	M ^r J. Goldsborough	Capt. Wright
M ^r Smith	Capt. Ennalls	M ^r T. Wilkinson
M ^r Weems	Capt. Hindman	M ^r T. Hammond

ffor the Affirmative

M ^r Calder	Col. Colvill	Capt. Robins
Col. King	Capt. Gordon	Col. Henry
M ^r Stoughton	Col. Tasker	Capt. Selby
Col. Gale	Capt. Purnell	

The Bill Entituled, an Act to prevent Cutting up Tobacco Plants, destroying of Tobacco, and Tobacco Houses, and for ascertaining the punishment of offenders &c was Read the second time, passed and sent to the Upper House by M^r Worthington and Cap^t Purnell.

The Bill entituled an Act for Raising ffour pence Sterling &c and the following Message, Viz. ' (See page 454)

Was sent to the Upper House by M^r Waughop and Capt. Hyland.

The petition of the Upper and Remote Inhabitants of King George's parish, in Prince George's County, praying Leave to bring in a Bill to Raise the Sum of 250^l for Building a Chappel; Read and Granted.

M^r Wootton delivers M^r Speaker a Bill entituled An Act Im-powering the Justices of Prince Georges County, to Levy on the Taxable Inhabitants of King George Parish in the said County, the sum of Two Hundred and ffifty pounds Current Money for the uses therein mentioned; which Bill was Read the ffirst time, and Ordered to lie on the Table

The House adjourns until the Morrow Morning at 9 of the Clock.

May 10

Thursday Morning May 10, 1744

The House met according to adjournment &c.

William Stoughton Esq^r from the Committee of Laws, acquaints M^r Speaker that a Clerk assistant is necessary to dispatch Business and that that Committee of Laws, acquaints M^r Speaker that a Clerk

assistant is necessary to dispatch Business, and that that Committee L. H. J. had Chosen M^r Richard Burdus; The House approves the Choice

Ordered, That Major Hall do administer to him the Oath of office p. 392 prescribed

Major Hall acquaints M^r Speaker he did adminster the oath of office to M^r Burdus

Major Hall is added to the Committee of Laws

The Bill, entituled An Act for Limitation of officers ffees; was Read the second Time, passed and sent to the Upper House by M^r Nicholas Goldsborough and M^r Joseph Hall.

The Bill entituled An Act to encourage the destroying Bears in Worcester County, was Read the second time passed, and sent to the Upper House by Cap^t Purnell and Cap^t Selby.

An Ingrossed Bill, entituled An Act reviving an Act, entituled an Act for the Benefit of the Poor and encouragement of Industry; was Read and assented to, and Sent to the Upper House, with the Paper Bill, by M^r Wootton and M^r William Wilkinson

A Bill entituled, An Act for Dividing St. Stephen's alias North Sassafras Parish, in Cecil County, was Read the ffirst and second time, by especial order, passed, and Sent to the Upper House by Col. Colvill and M^r Pearce.

Col. Hammond from the Upper House, delivers M^r Speaker the Bill entituled, An Act for raising ffour Pence Sterling per Hogshead, &c and the folowing Message (See page 456)

On Reading the above Message, and duly considering the purport thereof, and that the Subject matter in the Message from the Upper House, of the 18th of June 1741, referred to in this Days Message; and as it contains no Reason to enforce the amendment proposed by the Upper House, to the Bill, and inasmuch as the said Bill sufficiently Provides for the matter intended, of Providing Arms and Ammunition for the Defence of this Province:

It is therefore Ordered, that the said Bill be entered on the Journal of this House, that it may appear by whose means this Province remains without the same. The Bill follows in these Words, viz.

An Act for raising ffour pence Sterling per Hogshead on all Tobacco to be Exported, for purchasing Arms and Ammunition for the Defence of this Province.

Whereas his Majesty our most gracious Sovereign is now engaged in. a War with Spain, and that a war with ffrance may ensue in Consequence of the vigorous Measures taken by his Majesty in favour of the Common Cause, and lest the Magazine of Arms and Ammunition now in the province, and the monies heretofore raised by any former Acts should prove Insufficient for the present purpose: We his Majesty's faithful Subjects, the Delegates of the ffreemen of Maryland, in General Assembly convened, to Testify our zeal for

L. H. J. his Majesty's person and Government, and for putting our selves in the best and Speediest posture of Defence we are able: Humbly pray that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That there shall be Levied, collected and Raised a Duty or Impost of ffour pence Sterling money on every Hogshead of Tobacco, which now is, and hereafter shall be, taken on Board any Ship or Vessel, to be Exported out of this province, and not Cleared at some Naval office before the End of this present Session of Assembly, to be Collected and Received by the Respective Naval-officers, in the same manner as other Duties on all Tobacco now due and payable, are Collected and Raised; which said Duty, shall from time to time, by the Naval-officers aforesaid, be paid to the Honourable Col. Edward Sprigg.

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That the same Col. Edward Sprigg, shall, with the Money which he shall so Receive, by Virtue of this Act, send for and purchase for the use and Defence of this Province, such Arms, Ammunition, and other Warlike Stores, as his Excellency, his Lordship's present Governor, or his Lordship's Governor for the Time being, shall direct and Appoint

And be it further Enacted, by the Authority aforesaid, That the several Naval officers aforesaid, shall from Time to Time, make and Render to both Houses of Assembly of this Province, Sufficient and Clear Accounts of all Monies which they shall Receive by virtue of
 p. 393 this Act, and that the same Col. Edward Sprigg, shall from time to time Render to both Houses of Assembly, Accounts of what Moneys he shall Receive by Virtue of this Act, and how the same shall have been disposed of

And be it further Enacted, That the said Several Naval officers, for Collecting and Receiving the Duty aforesaid, and paying the same to the aforesaid Col Edward Sprigg, shall take and be allowed the Sallary of Eight pounds per Cent for such part as they shall Collect and Receive as Naval officers aforesaid; and that the same Col Edward Sprigg, shall Receive ffive pounds per Cent. for laying out and applying such money Collected as aforesaid, according to the Directions of this Act, and no more.

And be it further Enacted, That if the Governor, or Commander in Chief of this Province for the time being, shall not direct any Arms, Ammunition, or other stores aforesaid, to be purchased with the monies arising from the Duties aforesaid, before the next Session of Assembly which shall happen after the Expiration of this Act, that then the said Monies or such part thereof as shall be un-

applied, and unlaid out as aforesaid, shall be applied to and for the L. H. J. Defraying of the Public Charge of this Province, as the House of Delegates in such future Assembly shall direct and appoint.

And be it likewise Enacted, by the Authority aforesaid, That the aforesaid Col^l. Edward Sprigg, shall, and he is hereby obliged to, enter into Bond, with Two good sureties, in the sum of Two Thousand pounds Sterling payable to the Right Honourable the Lord Proprietary, for the use of the province of Maryland, before one of the Justices of the Provincial Court, who is hereby authorized and empowered to take the same, Conditioned, that just and true accounts shall be rendered of all Monies Received from such Naval officer or officers, by Virtue of this Act, and that the same shall be laid out and paid According to the directions herein mentioned, and such Bond to transmit to the Chancellor of Maryland for the time being, to be lodged in the Chancery office of the same Province

And be it further Enacted, by the Authority aforesaid, That the Armourer, or person who now has, or hereafter shall have the Care, keeping or distributing the Arms and Ammunition now in Store, or which hereafter may be, shall, and he or they are hereby obliged, to keep a full and just account of all Arms and Ammunition which hereafter he or they shall Receive, and to whom, by whose order, and to what use or Uses the same has been or shall be given out or distributed, and such account, with vouchers lay before both Houses of Assembly yearly, Sworn to before our Provincial or County Magistrate.

Provided always, That nothing herein contained, shall extend, or be construed to extend to prejudice or take away any Right or Claim which the people of this province have, or ought to have, to any Moneys heretofore or now Levied by the Right Honourable the Lord Proprietary, under colour of an Act of Assembly made in the year seventeen Hundred and ffour, entituled, An Act for the settlement of an Annual Revenue upon her Majesty's Governor within this Province for the time being, or by any other ways or means whatsoever.

Provided also, That in Case of the Death of the aforesaid Edward Sprigg, during the Continuance of this Act, that then and in such Case the Naval officers shall pay unto the sureties aforesaid of the same Edward Sprigg, the monies Arising from the Impost or Duty aforesaid or so much thereof as shall be in their Hands at the time of such Death, or shall be Collected after the Death of the same Edward Sprigg, which Sureties are hereby empowered and Required to Receive the said money, and to apply and account for the same in like manner and form as he the said Edward Sprigg is hereby empowered and Required to do in his Life time; any thing herein contained to the Contrary notwithstanding.

L. H. J. This Act to continue to the Twenty ffifth Day of December which shall be in the year of our Lord one Thousand seven Hundred and fforty ffive, and no longer.

A petition of the parishioners of Prince George's parish, in Prince George's County, Read and Granted

The Bill entituled, An Act continuing An Act entituled An Act, to prevent the Injuring Harbours within this province and for Repealing the Act therein mentioned; was Read the second Time, and passed, and sent to the Upper House by Cap^t Gordon and M^r Brome

M^r Sprigg, delivers M^r Speaker a Bill entituled, An Act empowering the Justices of Prince George's County to erect and Build a New Court-House, in the said County; which was Read the ffirst Time, and ordered to lie on the Table

M^r Wootton delivers M^r Speaker a Bill entituled, An Act for making a Chapel already Erected in Prince George's County, a Chapel of Ease; which was Read the ffirst and second time, by an especial Order and passed; sent to the Upper House by M^r Wootton and Capt. Ennals.

The House adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to adjournment &c.

p. 394 George Plater Esq^r from the Upper House, delivers M^r Speaker the petition of James Richard of Baltimore County Merchant, praying leave to bring in a Bill for his Naturalization, Indorsed, "Referred by the Upper House to the Consideration of the Lower House."

The Bill entituled, An Act to prevent the tumultuous Meetings, and other Irregularities of Negroes and other Slaves &c. was Read the second time and passed, and sent to the Upper House by M^r Richard Gresham and M^r Swann.

On Motion made to bring in a Bill, to enable Richard Dorsey of Anne Arundel County, Gentleman, to sell and Dispose of fforty nine acres of Land, part of the Estate of Mary Woodward and Elizabeth Woodward Infants; Leave is given

M^r Calder brings in a Bill entituled, An Act to enable Richard Dorsey, of Anne Arundel County, Gentleman, to sell and Dispose of fforty nine acres of Land, part of the Estate of Mary Woodward and Elizabeth Woodward, Infants; which was Read the ffirst time, and ordered to lie on the Table

A Bill entituled, An Act for Reviving and continuing An Act of Assembly of this Province, entituled, An Act ascertaining the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping, and defacing of Tobacco, taken on Board Ships or Vessels upon ffreight; was Read the ffirst time, and ordered to lie on the Table.

The House adjourns until the Morrow Morning, at 9 of the Clock.

Friday morning, May 11. 1744

L. H. J.
May 11

The House met according to Adjournment &c.

M^r George Wilson appeared this Day in the House

The petition of M^r James Richard was Read and Granted.

Major Henry Trippe, a Member Returned by Writs of Election to serve for Dorchester County, appeared now in the House. Capt. Ennalls and Capt. Hindman are sent to the Upper House to see him Qualified: They return, and acquaint M^r Speaker, he had qualified himself in the usual manner.

Col. Lloyd from the Upper House, delivers M^r Speaker several petitions, which were Indorsed, "Referred to the Consideration of the Lower House of Assembly."

The Bill entituled, An Act for the Speedy and more effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis, Printer; was Read the second time, and passed, and sent to the Upper House by M^r Smith and M^r Richard Gresham

M^r Thomas, from the Upper House, delivers M^r Speaker the Bill entituled An Act for making a Chapel already Erected, in Prince George Parish in Prince George's County, a Chapel of Ease; Indorsed, (See page 458)

Which Bill was Here Read and passed for Ingrossing.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

Cot Hammond from the Upper House delivers M^r Speaker the Bill entituled, An Act for the Dividing of St. Stephen's alias North Sassafras Parish in Cecil County, Indorsed, (See page 458)

Which Bill was here Read, and passed for Ingrossing.

The Bill entituled, An Act continuing An Act entituled A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes, and several Sorts of Liquors imported; and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province; Read the second time, and passed, and sent to the Upper House by Major Hall and M^r Pearce.

Edmund Jenings Esq^r from the Upper House, delivers M^r Speaker, the Petition of Christopher Lowndes, William Mauduit and John Rowe; and the petition of sundry Back Inhabitants of Prince George's County; Severally Indorsed "Referred to the Consideration of the Lower House of Assembly."

An Ingrossed Bill entituled, An Act to encourage the destroying Bears in Worcester County, was Read and Assented to, and sent p. 395

L. H. J. to the Upper House with the Paper Bill, by Col. Henry and Capt. Robins

An Ingrossed Bill, entituled An Act for making a Chapel already erected in Prince George Parish, in Prince George's County, a Chapel of Ease; was Read and Assented to, and sent to the Upper House, with the Paper Bill, by M^r Wootton and M^r William Wilkinson.

The petition of the Vestry in Queen Anne Parish, in Prince George's County, praying leave to bring in a Bill, to Levy Two Hundred pounds on the Taxable Inhabitants, by Two equal assessments, to Repair their Church and Chapel; Read and Leave given to bring in a Bill.

The Petition of Sundry Inhabitants of the Upper part of Worcester County, praying Leave to bring in a Bill, to erect a Town near Synepuxon, &c was Read, and Leave given

The Petition of several Inhabitants of Upper Marlborough Town, and others of Prince George's County, praying Leave to bring in a Bill to lay out their Town anew &c Read and Leave given.

The petition of Sundry persons of Prince George's County, praying further time to Build, pursuant to the Act for laying out a Town Called Bladensburgh, Read, and Leave given.

The House adjourns until the Morrow Morning at 9 of the Clock.

May 12

Saturday Morning May 12th 1744

The House met according to adjournment &c. All appeared except M^r Osborn Sprigg.

M^r Lloyd hath Leave of the House to go Home.

The House, taking into Consideration the Governor's answer to the Address of this House, relating to the Purchase of Land, whereon is now Building an House for the Governor, for the time being; Ordered, That D^r Carroll and M^r Calder do prepare and Address in answer thereto.

James Hollyday Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act for the Speedy and effectual Publication of the Laws of this Province &c. Indorsed, (See page 459)

Which Bill was here Read, and Passed for Ingrossing

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker several petitions, Indorsed, "By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly."

Doctor Carroll from the Committee of Laws, delivers M^r Speaker a Bill entituled, An Act for appointing Commissioners for dividing St. Mary's County into four Parishes, and to erect that Part of All ffaith, and King and Queen Parish, lying in Charles County into a

distinct Parish; which Bill was Read the first time, and Ordered L. H. J. to lie on the Table.

M^r Wootton delivers M^r Speaker a Bill entituled, An Act empowering the Justices of Prince Georges County, to levy upon the Taxable Inhabitants of Queen Anne Parish in the said County, the Sum of Two Hundred Pounds Current Money, for the uses therein mentioned; which was Read the first Time, and ordered to lie on the Table.

Col. Colvill from the Committee of Laws, delivers M^r Speaker an Ingrossed Bill entituled, An Act for dividing S^t Stephen's, alias North Sassafras Parish, in Cecil County; which was Read and assented to, and sent to the Upper House with the Paper Bill, by M^r Pearce and Cap^t Hyland.

M^r Calder brings in an Address to the Governor, which was Read, approved, and Ordered to be Ingrossed.

Daniel Dulany Esq^r from the Upper House, delivers M^r Speaker the Bill, entituled, An Act to Prevent the Injuring Harbours within this province, and for Repealing the Act therein mentioned; and the Bill entituled, An Act continuing an Act entituled, a Supplementary Act to an Act entituled, An Act, laying an Imposition on Negroes &c. Severally Indorsed, (See page 460)

Which Bills were here severally Read, and passed for Ingrossing.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker the Bill entituled An Act to prevent the cutting up Tobacco Plants, &c. Indorsed, (See page 460)

Which Bill was here Read, and Passed for Ingrossing

Edmund Jenings Esq^r from the Upper House, delivers M^r Speaker a Petition of the Visitors of Ann-Arundel County School, Indorsed, By the Upper House of Assembly Referred to the Consideration of the Lower House of Assembly.

The House Adjourns until Monday Morning, at 9 of the Clock. p. 396

Monday Morning, May 14th 1744

May 14

The House met according to Adjournment &c. All Members appeared as on Saturday; except M^r Philip Hammond, and M^r Lloyd.

M^r Osborn Sprigg Appeared this Day.

M^r Calder brings in an Address to the Governor, Ingrossed. The Question was put, whether the Ingrossed Address be Assented to, or not? Resolved in the Affirmative.

L. H. J.

ffor the Affirmative

M ^r Waughop	M ^r W. Wilkinson	M ^r O. Sprigg
M ^r Swann	Col. King	M ^r Pemberton
Capt. Chesley	M ^r Stoughton	Capt. Gordon
M ^r Wilson	Col. Gale	Capt. Wright
M ^r Calder	M ^r Lecompte	M ^r T. Hammond
D ^r Carroll	Col. Colvill	Capt. Purnell
Major Hall	M ^r Pearce	Capt. Robins
M ^r Worthington	Capt. Hyland	Capt. Selby
M ^r Smallwood	M ^r Magruder	
Capt. Harrison	M ^r Wootton	

ffor the Negative

M ^r Smith	M ^r N. Goldsborough	Capt. Hindman
M ^r Weems	Major Trippe	Col. Tasker
M ^r Brome	Capt. Ennalls	Col. Henry

The Address was as followeth; viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland

The Humble Address of the House of Delegates

May it please Your Excellency,

We having taken into Consideration the Affair of the Land, whereon the House designed for the Residence of the Governor, for the Time being, is Building, granted by the Lord Proprietary to Thomas Bordley Esq^r and by him Devised in ffee to his son Stephen; do agree, That in order to extinguish all Claims and pretensions whatsoever, your Excellency should pay Two Hundred pounds the price agreed upon, to the same Stephen, for ffour Acres of the same Land, to be Surveyed and laid out by the Surveyor of Ann Arundell County, for the time being; and Butted and Bounded by good Locust Posts; or large Stones, at each Corner; and take his Deed of Bargain and Sale for the same, so Butted and Bounded, expressing the Consideration paid, and the same Metes and Bounds, in your Excellency's Name, for the use of the Public of Maryland; in which Deed we are contented, that no other Clause or Warranty be inserted, except against the same Stephen, his Heirs and all persons claiming under him. Upon the Execution of which Deed, we apprehend the Right of the same Land will be sufficiently Secured to the public, by virtue of an Act of Assembly of last Sessions, and sundry other Acts made before that Time

Which Address was Indorsed, "Read and Assented to by the Lower House of Assembly, and signed by Order of the House, by the Honourable Speaker"

M^r Calder and M^r W. Wilkinson ordered to acquaint his Excellency, this House hath prepared An Address to him, and desires to

know when and where he will Receive it. They return, and acquaint L. H. J. M^r Speaker, the Governor will be ready in an Hour's Time, to Receive the Address in the Conference Chamber.

The Bill entitled An Act to enable Richard Dorsey, of Anne Arundell County, Gent. to sell and dispose of fforty nine Acres of Land &c was Read the second Time and passed, and sent to the Upper House by Col. Tasker and Capt. Selby.

The Bill entitled An Act empowering the Justices of Prince George's County, to Levy upon the Taxable Inhabitants of Queen Anne Parish &c. was Read the second Time and passed, and sent to the Upper House by M^r Magruder and M^r Sprigg.

Ordered, that M^r Calder and M^r Waughop present the Address to the Governor: They return and acquaint M^r Speaker, they presented the Address.

The Bill entitled, An Act appointing Commissioners for dividing St. Mary's County, into ffour Parishes &c. was Read the second time and passed, and sent to the Upper House by M^r Swan and M^r Chesley.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker the petition of Sundry Inhabitants of the Upper part of All Hallows Parish in Worcester County, praying leave to bring in a Bill to divide the said parish, after the Death of the present Incumbent, Indorsed Referred from the Upper House of Assembly, to the Lower House of Assembly. p. 397

Which Petition was here Read and Granted.

A Bill entitled, An Act for the Naturalization of James Richard of Baltimore County, was brought in, and Read the ffirst and second Time, by an Especial Order, passed, and sent to the Upper House by M^r Pemberton and M^r Robins.

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker an Ingrossed Bill entitled, An Act for the Speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; which was Read, and assented to, and sent to the Upper House, with the paper Bill, by Major Hall and Capt. Hindman

The House adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to adjournment &c.

The Bill entitled, An Act empowering the Justices of Prince George's County, to Levy on the Taxable Inhabitants of King George Parish &c was Read the second time and passed and sent to the Upper House by M^r Wootton and M^r Swann.

The Bill entitled, An Act for Reviving and continuing an Act of Assembly of this Province entitled, an Act, ascertaining the

L. H. J. Gauge & Tare of Tobacco Hogsheads &c. was Read the second time and passed, and sent to the Upper House by M^r Worthington and Cap^t Purnell.

On Motion of a Member, that a Supplementary Bill be brought in, to the Act entituled, an Act for the Relief of Debtors, and ascertaining the manner of Tenders in Tobacco, and to the Supplementary Act thereto; Leave is given.

Ordered, That the Committee of Laws prepare and bring in such Bill.

Col^t Hammond from the Upper House, delivers M^r Speaker several petitions, Indorsed, (See page 461)

It being moved by a Member, that a Bill be brought in, to lay a Duty of Three half pence Sterling on every Hogshead of Tobacco exported, for the use of the Governor; Leave given: ordered, That the Committee of Laws prepare and bring in such Bill.

On Motion of a Member, That a Bill be brought in, to Limit the Time of Shipping Tobacco; Leave is given: Ordered That the Committee of Laws prepare and bring in such Bill.

William Stoughton Esq^r from the Committee of Laws, brings in an Ingrossed Bill entituled An Act to prevent the cutting up of Tobacco Plants, destroying Tobacco Houses, and for ascertaining the punishment of Criminals guilty of the said offence; which was Read and assented to, and sent to the Upper House, with the Paper Bill, by M^r Wilson and M^r Joseph Hall.

Daniel Dulany Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, an Act to enable Richard Dorsey, of Anne Arundell County, Gentl to sell and dispose of fforty nine Acres of Land &c. Indorsed, (See page 463)

Which Bill was here Read, and passed for Ingrossing

An Ingrossed Bill entituled, An Act continuing An Act entituled, An Act to prevent the Injuring of Harbours within this Province, and for Repealing the Act therein mentioned, was Read and assented to, and sent to the Upper House with the paper Bill by M^r Stoughton and Capt. Harrison

Samuel Chamberlain Esq^r from the Upper House delivers M^r Speaker Several Petitions of Languishing Prisoners in the County Goals, Indorsed, “ Referred by the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly ”

Which petitions being here Read and Considered, the House granted the petitions of Joseph Richardson, Robert Noble, Francis O'Connor, in Dorchester County Goal; and Cornelius Mahony, in Cecil County Goal.

And several Accounts Relating to the Indian Affairs.

The House Adjourns until the Morrow Morning, at 9 of the Clock

Tuesday Morning, May 15. 1744

L. H. J.
May 15
p. 398

The House met according to Adjournment &c.

M^r Joshua George appeared in the House.

Col. Colvill, from the Committee of Laws, delivers M^r Speaker a Bill intituled, a Supplementary Act to the Act entituled an Act for laying out and erecting a Town at a place Called Long Point on the West side of North East River in Cecil County; which was Read the ffirst Time, and ordered to lie on the Table.

Major Hall from the Committee of Laws, delivers M^r Speaker a Bill entituled An Act for the Limitation of the time of Shipping Tobacco; which Bill was Read the ffirst Time, and ordered to lie on the Table.

The Bill, entituled, An Act for enlarging the Jurisdiction of the County Courts, was Read, and committed for Amendments.

Edmund Jenings Esq^r from the Upper House, delivers M^r Speaker the Bill, entituled, An Act empowering the Justices of Prince George's County to Levy on the Taxable Inhabitants of King George Parish, in the said County, the sum of 250^l &c.

The Bill, entituled, An Act for the Naturalization of James Richard of Baltimore County

The Bill, entituled, An Act empowering the Justices of Prince George's County, to Levy on the Taxable Inhabitants of Queen Anne Parish in the said County, the sum of 200^l &c.

And the Bill, entituled An Act for reviving and continuing An Act of Assembly of this Province, entituled, an Act for ascertaining the Gauge and Tare of Tobacco Hogsheads &c.

Which Bills were severally Indorsed, By the Upper House of Assembly, May 15, 1744, Read the second time and will pass.

And were here Severally Read, and passed for Ingrossing.

George Plater Esq^r from the Upper House, delivers M^r Speaker the petition of James Nicholson of Worcester County, and the Petition of Thomas Joy, a Languishing prisoner in Talbot County Goal; Indorsed " By the Upper House of Assembly, May 15, 1744, Referred to the Consideration of the Lower House."

The petition of Thomas Joy was Read and Granted.

The House adjourns until 2 of the Clock in the afternoon

Post Meridiem

The House met according to Adjournment &c.

The Bill entituled, An Act for raising Two pence Sterling on every Hogshead of Tobacco exported out of this Province, for payment of an Agent in Great Britain for the Service of this Province; was Read the second time, and passed, and sent to the Upper House by M^r Smith and M^r John Gresham.

L. H. J. M^r Wootton brings in a Bill entituled, a Supplementary Act to an Act entituled, An Act for laying out and erecting a Town on the South side of the Eastern Branch of Potomack River in Prince George's County; which was Read the ffirst and second Time by an especial Order and passed, and sent to the Upper House by M^r Wootton and Capt. Harrison

Col. Henry delivers M^r Speaker a Bill, entituled, An Act for Building a prison in Worcester County; which was Read the first Time, and Ordered to lie on the Table.

Major Trippe delivers M^r Speaker a Bill entituled An Act for raising a Duty of Three Half pence Sterling per Hogshead on all Tobacco exported out of this province, for the use of the Governor; which Bill was Read the ffirst Time, and ordered to lie on the Table.

On Motion of a Member, that a Bill may be brought in to exempt owners of any Part of Vessels, Residents in this province, from the payment of Duties; Leave given

An Ingrossed Bill, entituled An Act for Reviving and continuing An Act of Assembly of this Province, entituled, an Act ascertainning the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping and defacing Tobacco taken on Board Ships or Vessels upon ffreight; which was Read and Assented to, and sent to the Upper House, with the paper Bill, by Col. Gale and Col. Henry.

Ordered, That M^r Benjamin Young, Senior, of the City of Annapolis, and M^r Ridsen Bozman, of Talbot County, have Notice to attend at the Bar of this House on Monday the 21st Instant, to answer a Complaint Exhibited against them to the Committee of Aggrievances last Session, by Richard ffdeman and Robert Rolls, for Extortion of ffees, the one under Colour of the office of Examiner-General, the other under Colour of the office of Surveyor of Talbot County, and Reported by the said Committee the last Session, to this House, and then Referred to the Consideration of this House this Session; and that the Clerk make a Copy of this order, the service of which to be deemed sufficient Notice for their Attendance.

p. 399 An Ingrossed Bill entituled An Act continued An Act entituled, A supplementary Act to an Act entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported; and also on Irish Servants to prevent the Importing too great a Number of Irish Papists into this Province.

And an Ingrossed Bill entituled, An Act to enable Richard Dorsey of Anne Arundel, County Gentleman, to sell and dispose of fferty nine Acres of Land, part of the estate of Mary Woodward and Elizabeth Woodward Infants.

Were severally Read and assented to, and sent to the Upper House, with the paper Bills, by Major Sheredine and M^r Thomas Wilkinson.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r L. H. J. Speaker a petition of the Rector, Vestrymen and Church Wardens of St. James's Parish, in Anne Arundel County; and the petition of the Rector, Vestry and Church Wardens, and principal Inhabitants, of King George Parish, in Prince George's County; Indorsed "Read and Referred to the Consideration of the Lower House."

The House adjourns until the Morrow Morning at 9 of the Clock

Wednesday Morning, May 16. 1744

May 16

The House met according to Adjournment &c. M^r Philip Hammond appeared this morning in the House.

The Petition of the Rector, Vestrymen, Church wardens &c. of King George Parish in Prince George's County, praying leave to bring in a Bill, to raise a Sum not exceeding 800^l to build a Chapel &c. was Read, and Leave given to bring in a Bill.

The petition of the Rector, Vestrymen, and Church wardens of St^t James Parish, in Anne Arundell County, praying leave to bring in a Bill, to enable the Incumbent, Vestry, and Church Wardens of said Parish to Lease for Lives, or years, a Tract of Land Called Wrighton &c. was Read, and Leave given to bring in a Bill.

M^r Sprigg delivers M^r Speaker a Bill entituled, An Act to enable the Rector, Vestrymen and Church wardens of St. James Parish, in Anne Arundel County, to Lease Lands and Lots belonging to St. James's Church, in Manner and to the Uses therein mentioned; which was Read the ffirst Time, and ordered to lie on the Table.

William Stoughton Esq^r fro mthe Committee of Laws, delivers M^r Speaker an Ingrossed Bill entituled, An Act for the Naturalization of James Richard of Baltimore County; which was Read and Assented to, and sent to the Upper House with the paper Bill, by M^r Pemberton and M^r Thomas Hammond.

The petition of Joseph Gwinn of Charles County Planter, was Read, and Referred for Consideration next Assembly

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker an Ingrossed Address, to his most Excellent Majesty; which was Read and assented to, and signed, on Behalf of the Lower House, by the Honourable Speaker.

The Address was contained in these Words, viz.

To the Kings most Excellent Majesty.

Most Gracious Sovereign,

We your Majesty's most Dutiful and Loyal Subjects the Delegates and Representatives of the ffreemen of the Province of Maryland in Assembly Convened Beg Leave to Embrace this our ffirst opportunity in the most humble manner to Congratulate your Maj-

L. H. J. esty on your Safe arrival into your British Dominions, after having exposed your Sacred person to the Dangers and ffatigues of War in Defence of the Common Cause, to Establish the peace of Europe and by Strengthening the Protestant Interest abroad to secure to your faithful Subjects their Civil and Religious Rights.

The Marriage of her Royal Highness the princess Louisa with the Prince Royal of Denmark, is, to us, matter of the Greatest Joy and Satisfaction, as it affords the Agreeable prospect of Encreasing your Royal Issue, and of our never wanting a Protestant Descendant of your Royal Line to fill your Throne to the latest Posterity.

The News of a late daring Attempt to Invade your Majesty's Dominions in favour of a Popish Pretender, and to overturn and deprive us of our Religion, Laws and Liberties, has fill'd our Hearts with the utmost abhorrence and Detestation; and we most humbly beseech your Majesty to believe, that altho' it be our Lot to Live in so remote a part of your Dominions and under a Proprietary Government, yet, from our Steady principles of Loyalty and Inviolable Attachment to your Royal person and ffamily, We shall be ever ready to Demonstrate our Zeal and Defend your Majesty against the Pretender, his Abettors, Adherents and all other your Majesty's Enemies, to the utmost of our power.

That your Majesty may Enjoy a long and happy Reign here, a Blessing to your Subjects, a Dispenser of peace and Tranquility to Europe, and a Check to the Insolence of ffrance, and other Popish and Enslaving powers; and that having Exchanged your Temporal, for an Eternal Crown, A Protestant Prince of your Royal Line, may never be wanting to Inherit your Throne, are the Sincere and ardent wishes of,

Your most Loyal and faithful Subjects
of Maryland

p. 400 Daniel Dulany Esq^r from the Upper House, delivers M^r Speaker a petition of Samuel Wilson, of Somerset County, Indorsed, "By the Upper House of Assembly, Referred to the Consideration of the Lower House of Assembly."

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker an Ingrossed Bill, entituled, An Act empowering the Justices of Prince George's County, to Levy on the Taxable Inhabitants of King George Parish, in the said County, the Sum of Two Hundred and ffifty pounds Current Money, for the uses therein mentioned; and an Ingrossed Bill entituled, An Act empowering the Justices of Prince George's County, to Levy on the Taxable Inhabitants of Queen Anne Parish, in the said County, the sum of Two Hundred Pounds Current money, for the uses therein mentioned; which Bills were Severally Read, and assented to, and sent to the Upper House with the paper Bills, by M^r Sprigg and M^r Robins.

The Bill entituled, An Act empowering the Justices of Prince George's County, to erect and Build a New Court House in the said

County, was Referred for Consideration on the last Day of June L. H. J. next.

The House Adjourns until 2 of the Clock in the Afternoon.

Post Meridiem

The House met according to Adjournment, &c.

M^r Smith Sheriff of Anne Arundel County, having delivered his Account Charged to the Public into the Committee of Accounts, in which were Several Articles for Imprisonment ffees to the Indians; and the Chairman of that Committee having applied for the Sense of the House thereon; the Question was put, whether M^r Smith be allowed any part of his Account, Charged for the Indians Imprisonment ffees in the Journal of Accounts, or not? Resolved in the negative.

ffor the Negative

M ^r Waughop	M ^r J. Gresham	M ^r Smith
M ^r Swann	D ^r Carroll	M ^r Weems
Capt. Chesley	M ^r Philip Hammond	M ^r J. Hall
M ^r R. Gresham	Maj. Hall	M ^r Brome
M ^r Wilson	M ^r Worthington	M ^r Smallwood
Capt. Harrison	M ^r Pearce	M ^r Wootton
M ^r W. Wilkinson	Capt. Hyland	M ^r T. Wilkinson
M ^r N. Goldsborough	Maj. Sheredine	M ^r T. Hammond
M ^r Lecompte	M ^r Magruder	Capt. Purnell

ffor the Affirmative

M ^r Calder	Capt. Hindman	M ^r Pemberton
Col. King	Capt. Ennalls	Capt. Wright
M ^r Stoughton	M ^r George	Cap ^t Robins
Col. Gale	Col. Colvill	Col. Henry
M ^r Thomas	M ^r O. Sprigg	Capt. Selby
M ^r J. Goldsborough	Capt. Gordon	
Major Trippe	Col. Tasker	

Philip Thomas Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act appointing Commissioners for dividing St. Mary's County into ffour parishes, and to Erect that part of All-ffaith, and King and Queen Parish, lying in Charles County, into a distinct parish; Indorsed (See page 466)

Which Bill was here Read, and with the Amendments proposed, passed for Ingrossing.

The House Adjourns until the Morning at 9 of the Clock

L. H. J.
May 17

Thursday Morning, May 17. 1744

The House met According to Adjournment, &c.

Capt. Selby delivers M^r Speaker a Bill entituled, An Act to enable Certain Commissioners therein named to lay out Acres of Land into Lots for a Town on Indian River, in Worcester County; as also acres of Land into Lots, at the Head of Asseteague Creek, at a place Called Trap, for a Town; which was Read the ffirst time, and ordered to lie on the Table.

p. 401 The Petition of Samuel Wilson, of Somerset County, praying Leave to bring in a Bill, to make over and Convey to David Wilson, all the Estate, Right, and Title, which Margaret Lindow had in Certain Lands Devised by Col^o David Brown; was Read, and Leave given to bring in a Bill as prayed.

M^r Calder from the Committee of Laws, delivers M^r Speaker a Bill, entituled, an Act to exempt part Owners of Ship's and other Vessels, being Residents of this Province, from the Payment of Duties; which was Read the ffirst time, and ordered to lie on the Table.

M^r Smith from the Committee of Elections and Privileges, delivers M^r Speaker the following Report, Viz.

By the Committee of Elections and Privileges, May 16. 1744.

Your Committee having Examined the Writ directed to the Sheriff of Worcester County, and Inspected the Several Indentures therewith Returned, of John Purnell, Thomas Robins, John Henry, and Parker Selby, Members Returned to serve this Assembly; To find, that all the said Members are duly Elected, according to the Writ aforesaid; but that we are in doubt, whether the said writ was Issued according to Law.

All which is humbly Submitted to the Consideration of the House
Signed, per Order, Tho. Jennings, Cl. Com.

On Consideration of the aforesaid Report, the Question was put, Whether this shall be the Question put; viz. Whether the said Writs were Issued According to Law or not? Resolved, That be the Question.

ffor that Question;

M ^r Waughop	Major Hall	M ^r W. Wilkinson
M ^r Swann	M ^r Worthington	Major Sheredine
M ^r R. Gresham	M ^r Smith	M ^r Magruder
M ^r Wilson	M ^r Weems	M ^r Wootton
M ^r J. Gresham	M ^r Brome	M ^r O. Sprigg
D ^r Carroll	M ^r Smallwood	M ^r Pemberton
M ^r Philip Hammond	Cap ^t Harrison	M ^r T. Wilkinson

ffor it's not being the Question :

L. H. J.

Capt. Chesley	M ^r J. Goldsborough	M ^r Pearce
M ^r Calder	Major Trippe	Capt. Hyland
Col. King	Capt. Ennalls	Capt. Gordon
M ^r Stoughton	Capt. Hindman	Col. Tasker
Col. Gale	M ^r Lecompte	Capt. Wright
M ^r N. Goldsborough	M ^r George	M ^r T. Hammond
M ^r Thomas	Col. Colvill	

The previous Question being determined, the Question was put ;
Whether the Writs of Election for Worcester County were Issued
According to Law, or not ; Resolved in the Affirmative.

ffor the Affirmative,

Capt. Chesley	M ^r Thomas	Capt. Hyland
M ^r Calder	M ^r J. Goldsborough	Major Sheredine
Major Hall	Major Trippe	Capt. Gordon
Captain Harrison	Capt. Ennalls	Col. Tasker
M ^r W. Wilkinson	Capt. Hindman	Capt. Wright
Col. King	M ^r Lecompte	M ^r T. Wilkinson
M ^r Stoughton	M ^r George	M ^r T. Hammond
Col. Gale	Col. Colvill	
M ^r N. Goldsborough	M ^r Pearce	

ffor the Negative

M ^r Waughop	M ^r Philip Hammond	M ^r Magruder
M ^r Swann	M ^r Worthington	M ^r Wootton
M ^r R. Gresham	M ^r Smith	M ^r Sprigg
M ^r Wilson	M ^r Weems	M ^r Pemberton
M ^r J. Gresham	M ^r Brome	
D ^r Carroll	M ^r Smallwood	

The House concurs with the Report, and finds the several Gentle-
men mentioned therein, duly Elected for Worcester County.

M^r Speaker communicated to the House the following Message
from the Gover ; Viz.

Gentlemen of the Lower House of Assembly.

By what estimate can be at present made, of the sum necessary
for the Carrying on and compleating the Building of a Governors
House, I think proper to acquaint you, that Two Thousand pounds
will be wanting, over and above what is already provided for that
purpose ; which I hope you will not think too great a sum, for a
House designed for the Country's Honour and use ; and I do assure
you of my Care, that not a ffarthing shall be misapplied

T. Bladen

- L. H. J. A Bill entituled, An Act for laying out the Town anew, commonly called Upper Marlborough Town, in Prince George's County was Read the ffirst time, and ordered to lie on the Table.

The House adjourns until 2 of the Clock in the afternoon

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Post Meridiem

The House met according to Adjournment &c.

Col. Hammond from the Upper House, delivers M^r Speaker the Bill entituled, A Supplementary Act to an Act entituled, An Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River, in Prince George's County, near a Place Called Garrison Landing; Indorsed (See page 467)

Which Bill was here Read, and passed for Ingrossing.

James Hollyday Esq^r from the Upper House, delivers M^r Speaker a Bill entituled, An Act to prevent the tumultuous meetings, &c. Indorsed (See page 467)

On Reading the Bill entituled An Act to Divide Prince George's County &c the Question was put, whether the Division as mentioned in the Bill shall be altered, or not? Resolved in the Negative

ffor the Negative

M ^r Waughop	M ^r Worthington	Maj. Sheredine
Capt. Chesley	M ^r Smith	M ^r Magruder
M ^r R. Gresham	M ^r Weems	M ^r Wootton
M ^r Wilson	M ^r Brome	Capt. Gordon
M ^r J. Gresham	M ^r Smallwood	M ^r T. Wilkinson
Doctor Carroll	M ^r Stoughton	M ^r T. Hammond
M ^r Philip Hammond	M ^r J. Goldsborough	Capt. Purnell
Major Hall	Maj. Trippe	

ffor the Affirmative

M ^r Swann	Capt. Ennalls	Col. Tasker
M ^r Calder	Capt. Hindman	M ^r Pemberton
Capt. Harrison	M ^r Lecompte	Capt. Wright
M ^r W. Wilkinson	M ^r George	Capt. Robins
Col. King	Col. Colvill	Col. Henry
Col. Gale	M ^r Pearce	Capt. Selby
M ^r N. Goldsborough	Capt. Hyland	
M ^r Thomas	M ^r O. Sprigg	

On Motion That a Bill be brought in, to make Horse-Stealing felony without Benefit of Clergy; Leave is given:

Ordered, That the Committee of Laws do prepare and bring in such Bill,

Resolved, That no new Business be proceeded on this Session, L. H. J. after Monday next.

The Bill entituled, An Act for Building a Prison in Worcester County, was Read the second time, and will pass.

The Question was put, whether any of the Accounts brought on the Indians affair shall be allowed in the Journal of Accounts, or not? Resolved in the Negative

ffor the Negative

M ^r Waughop	M ^r Weems	Major Sheredine
M ^r Swann	M ^r Brome	M ^r Magruder
Capt. Chesley	M ^r Smallwood	M ^r Wootton
M ^r R. Gresham	Capt. Harrison	M ^r Sprigg
M ^r Wilson	M ^r W. Wilkinson	M ^r T. Wilkinson
M ^r J. Gresham	M ^r Stoughton	M ^r T. Hammond
Doctor Carroll	M ^r N. Goldsborough	Capt. Purnell
M ^r Philip Hammond	M ^r Lecompte	Capt. Selby
Major Hall	M ^r Pearce	
M ^r Worthington	Capt. Hyland	

ffor the Affirmative

M ^r Calder	Capt. Gordon	Capt. Ennalls
Col. King	Col. Tasker	Capt. Hindman
M ^r George	M ^r J. Goldsborough	Capt. Robins
Col Colvill	Major Trippe	Col. Henry
Col Gale	M ^r Pemberton	
M ^r Thomas	Capt. Wright	

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The House Adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning May 18. 1744.

May 18

The House met according to adjournment &c.

M^r Calder Brings in a Bill, entituled, An Act to enable Samuel Wilson, Executor of Margaret Lindow, to Convey Certain Lands to David Wilson; which was Read the ffirst Time, and Ordered to lie on the Table.

The Bill entituled, An Act for enlarging the Jurisdiction of the County-Courts, was Read the second time with the Amendments, and passed, and sent to the Upper House by M^r Stoughton and Cap^t Harrison.

The Bill entituled An Act for Building a Prison in Worcester County, was sent to the Upper House by Col. Henry and Cap^t Selby.

On Reading a paragraph in the Bill for dividing Prince George's County, which Relates to the placing a Court House; the Question

L. H. J. was put, whether there should be any Alteration in that part of the Bill, which mention's a place for Building a Court House on?

Resolved that there be an Alteration.

On Reading a Second time the Bill entituled, An Act to divide Prince George's County, and to erect a new County on the Upper part thereof; the Question was put, whether the said Bill shall pass, or not? Resolved in the Affirmative,

ffor the Affirmative

M ^r Waughop	M ^r N. Goldsborough	Capt. Gordon
Capt. Chesley	M ^r Thomas	M ^r Pemberton
M ^r Calder	Capt. Ennalls	Capt. Wright
M ^r Smith	Capt. Hindman	M ^r T. Hammond
M ^r Weems	M ^r Lecompte	Capt. Purnell
M ^r Smallwood	M ^r George	Capt. Robins
Capt. Harrison	Col. Colvill	Col. Henry
M ^r W. Wilkinson	M ^r Pearce	Capt. Selby
Col. King	Capt. Hyland	
Col. Gale	M ^r O. Sprigg	

ffor the Negative

M ^r Swann	Doctor Carroll	M ^r Stoughton
M ^r R. Gresham	Major Hall	M ^r J. Goldsborough
M ^r Wilson	M ^r Worthington	Major Trippe
M ^r J. Gresham	M ^r Brome	M ^r Wootton

William Stoughton Esq^r delivers M^r Speaker a Bill entituled An Act continuing An Act of Assembly of this province entituled, An Act for the more effectual punishment of Certain offenders, and for taking from them the Benefit of Clergy; and the Bill entituled, An Act continuing An Act of Assembly of this Province entituled, An Act for the more effectual punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain offenders, and to an Act entituled, an Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the manner of Trying Slaves; which Bills were here Severally Read the ffirst time, and ordered to lie on the Table.

The House Adjourns until the Morrow Morning at 9 of the Clock.

May 19

Saturday morning, May 19th 1744

The House met according to Adjournment &c, All Members appeared as yesterday except M^r Magruder and M^r Philip Hammond

The Chairman of the Committee of Accounts having acquainted M^r Speaker, that there were Several officers accounts delivered in to

that Committee, in the Allowance of which they desire to have the L. H. J. direction of the House;

Ordered, That such part of the officers Accounts as shall be allowed, be made Agreeable to the Regulation of fees made in a Bill last Sessions sent to the Upper House, entituled, An Act for Limitation of officers fees.

On Motion of a Member, That a Bill be brought in for Ascertaining the manner of paying his Lordship's Quit Rents, for the Term therein proposed; Leave is given.

Ordered, That the Committee of Laws prepare and bring in such Bill.

The petition of the Magistrates, and Sundry Inhabitants of St. Maries County, praying Leave to bring in a Bill to erect a Workhouse, was Referred for Consideration the next Assembly

M^r Calder from the Committee of Laws, delivers M^r Speaker a Bill entituled, An Act for the punishment of Horse Stealers; which was Read the first time, and ordered to lie on the Table.

An Ingrossed Bill entituled, A supplementary Act to an Act entituled, for laying out and erecting a Town, on the South side of the Eastern Branch of Potomack River, in Prince Georges County, near a place called the Garrison Landing; was Read and Assented to, and sent to the Upper House, with the paper Bill, by Capt. Ennalls and M^r Swann.

The petition of sundry Inhabitants of Talbot County; and the p. 404
petition of sundry Inhabitants of St. Marys County, relating to the Improvement of the Staple of Tobacco; were severally Read, and Referred to the Consideration of the next Assembly.

The Bill entituled, an Act to divide Prince George's County, and to erect a new County, on the Upper Part thereof; was sent to the Upper House by M^r Smallwood and Cap^t Hindman.

An Ingrossed Bill entituled, An Act appointing Commissioners for dividing St Mary's County, into four parishes and to erect that part of All Faith and King and Queen Parish, lying in Charles County, into a distinct parish, was Read and Assented to, and sent to the Upper House, with the Paper Bill, by M^r Waughop and M^r Swann.

The Bill entituled, An Act to exempt Part owners of Ships and other Vessels, being Residents of this province, from the payment of Duties; was Read the second time and passed, and sent to the Upper House, by M^r Calder and Col. Tasker.

The Bill entituled, An Act to enable Samuel Wilson, Executor of Margaret Lindow, to convey Certain Lands to David Wilson; was Read the second Time, and passed and sent to the Upper House by Col. King and Col. Gale.

L. H. J. The petition of Sundry Inhabitants of Queen Anne's County, praying to divide St. Luke's Parish in Queen Anne's County &c into a County:

And the Petition of Sundry Inhabitants of Queen Anne's County, and Dorchester County, praying to Divide the Upper Parts of the said Counties next adjoining, into a new County: were Severally Read and Referred to the Consideration of the next Assembly.

The House Adjourns until Monday Morning at 9 of the Clock

May 21

Monday Morning, May 21st 1744

The House met according to adjournment &c. All appeared as on Saturday.

M^r Magruder appeared this Day.

M^r Benjamin Young, according to the order of the House, Attended at the Bar: The Report of the Committee of Aggrievances being Read, and M^r Young fully heard thereon, was ordered to withdraw. The House Referred the Consideration thereof until Thursday next.

The House Adjourns until 2 of the Clock in the Afternoon.

Post Meridiem

The House met according to Adjournment &c.

The petition of Charles Carroll Esq^r according to order, being fully heard at the Bar by Council for and against the same, the Council were ordered to withdraw.

The House Referred the Consideration thereof until the Morrow Morning

The House Adjourns until the Morrow Morning, at 9 of the Clock.

May 22

Tuesday Morning, May 22^d 1744

The House met according to adjournment &c.

M^r John Paca a Burgess Elected to serve in this Assembly for Baltimore County, appeared in the House, Ordered That Major Sheredine and M^r Thomas go with him to the Upper House, to see him Qualified; They Return and acquaint M^r Speaker they saw him Qualified in the usual manner

The Gentleman took his seat in the House.

The House taking into Consideration, the ffacts Contained in M^r Carrolls petition, gave Leave to the Petitioner to bring in a Bill according to his prayer.

The Bill entituled, An Act for punishment of Horse Stealers was *L. H. J.* Read the second Time, and passed, and sent to the Upper House by M^r Smith and M^r Weems.

George Plater Esq^r from the Upper House delivers M^r Speaker a petition of Mary Stokes widow, administratrix of Humphrey Wells Stokes, late of Baltimore County, Deceased, Indorsed, "Referred by the Upper House of Assembly, to the Consideration of the Lower House of Assembly."

On Reading the aforesaid petition, M^r George, Major Sheredine, and M^r Paca, are appointed a Committee, to enquire into the Allegations therein Contained, and thereupon to make a Report to the House.

Edmund Jenings Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act to enable Samuel Wilson Executor of Margaret Lindow to Convey Certain Lands to David Wilson; and the Bill entituled, An Act for Building a prison in Worcester County; Indorsed (See page 471)

Which Bills were here severally Read, and passed for Ingrossing.
The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met According to Adjournment, &c.

p. 405

The Bill entituled, An Act to enable Certain Commissioners therein named, to lay out fforty Acres of Land into Eighty Lots, for a Town on Indian River, in Worcester County; as also fforty Acres of Land into Eighty Lots, at the Head of Asseteague Creek, at a Place Commonly called the Trap for a Town, was Read the Second Time, Passed and sent to the Upper House by M^r Robins and Captain Selby.

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker a Bill entituled, An Act for the Tryal of all Matters of ffact, in the several Counties where they have Arisen, or shall arise; which was Read the ffirst time, and Ordered to lie on the Table.

Col. Henry delivers M^r Speaker a Bill, entituled An Act for divid-ing All Hallows Parish, in Worcester County, and for Erecting a Parish out of the same, called by the name of Parish, which was Read the ffirst time, and ordered to lie on the Table.

The Bill entituled, An Act continuing an Act of Assembly of this Province entituled, An Act for the more effectual punishment of Certain offenders and for taking from them the Benefit of Clergy; was Read the second time, and passed.

The Bill entituled An Act continuing An Act of Assembly of this Province, entituled, a Supplementary Act to the Act, entituled, an Act for the more effectual punishment of Negroes &c. was Read the second Time, passed, and sent to the Upper House, by M^r Wootton and M^r Lecompte

- L. H. J. Col. Lloyd from the Upper House, delivers M^r Speaker the Bill entituled, A Supplementary Act to the Act entituled, An Act for laying out and erecting a Town at a place Called Long Point, on the West side of North East River, in Cecil County, Indorsed, (See page 471)

Which Bill was here Read and Passed for Ingrossing.

An Ingrossed Bill entituled, An Act for Building a Prison in Worcester County, was Read and Assented to, and sent to the Upper House, with the Paper Bill, by Capt. Purnell and Col. Henry.

A Bill entituled, an Act to Remedy some Defects in an Indenture of Bargain and Sale, made and executed by Michael Curtis and Sarah his wife, late of St. Mary's County Deceased, and Charles Carroll Esq^r late of the City of Annapolis Deceased, was brought in, Read the ffirst Time, and Ordered to lie on the Table.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act to Divide Prince George's County, and to erect a new County on the Upper part thereof, Indorsed, (See page 472)

The Bill entituled, An Act to enable the Rector, Vestrymen, and Church wardens of St. James's Parish, in Anne Arundell County, to Lease Lands belonging to S^t James's Church &c. was Read the second time, and passed, and sent to the Upper House by M^r Sprigg and Cap^t Harrison.

The House Adjourns until the Morrow Morning at 9 of the Clock.

May 23

Wednesday Morning May 23. 1744

The House met according to Adjournment &c.

The Bill entituled an Act continuing an Act of Assembly of this Province entituled, An Act for the more effectual punishment of Certain offenders &c. was sent to the Upper House by Major Trippe and Cap^t Hindman.

The Bill entituled, An Act to Remedy some Defects in an Indenture of Bargain and Sale, made & Executed by Michael Curtis and Sarah his wife &c was Read the second Time, passed and sent to the Upper House by Cap^t Gordon and Col. Tasker.

An Ingrossed Bill entituled, An Act to enable Samuel Wilson, Executor of Margaret Lindow, to convey certain Lands to David Wilson, was Read and Assented to, and sent to the Upper House, with the Paper Bill, by Col. King and Col. Gale.

M^r George delivers M^r Speaker the following Report; Viz.

By a Committee appointed to examine into the allegation of the Petition of Mary Stokes, Widow and Administratrix of Humphrey Wells Stokes, late of Baltimore County Deceased May 23, 1744.

Your Committee having Carefully Examined the Allegations Contained in the said Petition, do find them true; and submit the further Consideration thereof to this Honourable House

Signed per order E. Dorsey Cl. Com.

The House Adjourns until 2 of the Clock in the afternoon.

Post Meridiem

The House met according to Adjournment &c.

M^r Speaker communicates the following Message from the Governor; Viz.

Gentlemen of the Lower House of Assembly

Having heard that you have thought proper to give some Instructions to the Gentlemen who are nominated by your House to treat with the Indians; I desire you will let me have a Copy of the said Instructions, and that you will let me know when they were given.

T. Bladen.

On Consideration of the above message, the House appointed Col. King, D^r Carroll, M^r Calder, M^r Nicholas Goldsborough, and William Stoughton Esq^r to prepare An Address to his Excellency, in answer thereto.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act to enable the Rector Vestrymen, and Church Wardens of St. James's Parish, in Anne Arundell County, to Lease Lands, belonging to St James's Church &c. and the Bill entituled, An Act continuing An Act of Assembly of this province, entituled, a Supplementary Act to the Act entituled, An Act for the more effectual Punishment of Negroes &c. and to an Act entituled, an Act to prevent the tumultuous Meetings and other Irregularities of Negroes &c. Severally Indorsed. (See page 474)

Which Bills were here Read, and passed for Ingrossing.

M^r Calder brings in an Address to the Governor, which was Read, approved and Ordered to be Ingrossed.

Leave having been given, to bring in a Bill for payment of his Lordships Quit Rents; the Question was put whether an Equivalent to be offered to the Lord Proprietary, in Lieu of his Quit Rents, shall be Raised by a Duty on Tobacco or not? Resolved in the Affirmative.

ffor the Affirmative

M^r R. Gresham
M^r Wilson
M^r Calder
M^r J. Gresham
Capt. Harrison
Col. King
M^r Stoughton
M^r Thomas
Major Trippe
Capt. Ennalls

Capt. Hindman
M^r Lecompte
M^r George
Col. Colvill
M^r Pearce
Capt. Hyland
M^r Paca
Capt. Gordon
Col. Tasker
M^r Pemberton

Col. Gale
Capt. Wright
M^r T. Wilkinson
M^r T. Hammond
Capt. Purnell
Capt. Robins
Col. Henry
Capt. Selby

L. H. J.

ffor the Negative

M ^r Waughop	M ^r Smith	M ^r N. Goldsborough
M ^r Swann	M ^r Weems	Major Sheredine
Capt. Chesley	M ^r J. Hall	M ^r Magruder
D ^r Carroll	M ^r Brome	M ^r Wootton
Major Hall	M ^r Smallwood	M ^r Sprigg
M ^r Worthington	M ^r W. Wilkinson	

M^r Calder brings in the following Address; Viz.

The humble Address of the House of Delegates.

May it please your Excellency

In Compliance with your Message, communicated at last Sessions to both Houses of Assembly, we then nominated Col. Robert King, and Doctor Charles Carroll, two of our Members, to join with such as should be appointed by the Upper House, as Commissioners to negotiate a Treaty with the Six Nations of Indians; and as it was understood by that Message; that the meeting would have been at Albany, or some other Remote place to the Northward; We then drew up some Instructions to be Privately made use of by our Members, in their way, and during that negotiation, as well for their own Information, as that upon their Return, they might be the better able to advise your Excellency, and the people of this province, of our Situation with Regard to those Indians; and not, as we understand it has been insinuated, as directions to be observed in making the Treaty, or to be in anything binding on them, in the Management of that affair, other than as to what Relates to the Sum of Money to be given as a present to the Indians, and the Cause of their uneasiness. We send your Excellency a Copy of those Instructions, and by the nature of them, We think it cannot be conceived that they were intended in any other manner. Which was Read and Assented to, and Signed by the Honourable Speaker.

p. 407 Doctor Carröll and Major Sheredine, were ordered to acquaint his Excellency the Governor, that this House hath prepared an Address to him, and desires to know when and where he will please to Receive it: They Return and acquaint M^r Speaker, the Governor will be Ready to Receive it immediately in the Conference Chamber.

Col. Gale and Capt. Harrison were Ordered to present the Address to the Governor. They Return, and acquaint M^r Speaker they had presented it.

The Bill entituled, An Act for laying out the Town anew, commonly called Upper Marlborough Town, in Prince George's County, was Read the second Time, and passed.

The House Adjourns until the Morrow Morning at 9 of the Clock

Thursday Morning, May 24. 1744.

L. H. J.
May 24

The House met according to Adjournment &c.

Ordered, That the Journal of Accounts be closed to Tuesday next.

On Consideration of the Report of the Committee, concerning the facts contained in the Petition of Mary Stokes, widow, Leave is given to the Petitioner to bring in a Bill as Prayed.

The Bill entituled, An Act for laying out a-new the Town called Upper Marlborough Town &c. was sent to the Upper House by M^r Magruder and M^r Sprigg.

Philip Thomas Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act continuing An Act of Assembly of this Province entituled, An Act for the more effectual punishment of Certain offenders &c. Indorsed (See page 475)

Which Bill was here Read and passed for Ingrossing.

An Ingrossed Bill entituled, An Act continuing An Act of Assembly of this Province entituled, A Supplementary Act to the Act entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from Certain offenders; and to an Act entituled, an Act to prevent the tumultuous Meetings, and other Irregularities of Negroes and other Slaves, and directing the manner of Trying of Slaves; was Read and Assented to, and sent to the Upper House, with the Paper-Bill, by M^r Brome and M^r Paca.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

On Reading the Governor's Message of the 17th Instant, concerning a further Sum of Money, for carrying on and compleating the Building of a Governor's House; the Question was put, which of the Two following Questions should be put? Viz.

Whether any further Sum of Money shall be given, for compleating the present building, now carrying on for a Governor's House, for the time being? or,

Whether the Sum of Two Thousand Pounds shall be given for compleating the present Building, now carrying on for a Governor's House, for the time being?

Resolved, That the last mentioned Question shall be the Question Put.

Thereupon the Question was put, Whether the Sum of 2000^{ls} shall be given, for compleating the present Building, now carrying on for a Governor's House, for the time being? Which passed in the negative.

Ordered, That M^r Smith, D^r Carroll, and M^r N. Goldsborough prepare an Answer to the Governor's Message of the 17th Instant.

L. H. J. George Plater Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act for Limitation of officers fees, Indorsed, (See page 475)

Complaint being made to the House by M^r Thomas Hammond, a Member, that a Summons w^{as} served upon him, Signed by M^r Philip Jones and John Meriken Sen^r who are Commissioners appointed by Anne-Arundel County Court, to Examine Evidence, relating to the Bounds of a Tract of Land, called Howard's Addition, for him, at his Peril, to Attend at the House of one Chapman, over Severn River, on Saturday the 26th Instant, at 10 of the Clock, to be examined as an Evidence, relating to the Bounds of the said Tract of Land, at the Instigation of M^r Vachel Denton.

Ordered, That the Serjeant at Arms inform M^r Vachel Denton to attend at the Bar of this House; The Serjeant acquainted M^r Speaker, he had informed M^r Denton, who attended.

p. 408 M^r Denton was ordered to Appear at the Bar; he appeared, and made ample excuse. M^r Speaker thereupon acquainted him, that although this House looked upon a Summons being served upon any Member during the Session of Assembly, to be a Violent breach of Privilege; yet, in Regard it appeared by his manner of Submission, that he had not any intention to offer any Indignity to the House or any Member thereof, he stood excused, and Ordered him to withdraw his summons Immediately; which he Acquainted M^r Speaker he would very readily comply with.

Col. Lloyd from the Upper House delivers M^r Speaker the Bill entituled, An Act to enable Certain Commissioners therein named, to lay out fforty acres of Land into Eighty Lots, for a Town &c. Indorsed (See page 475)

Which Bill was here Read, and with the amendment proposed, passed for Ingrossing.

Daniel Dulany Esq^r from the Upper House delivers M^r Speaker the Bill entituled, an Act for Raising Two pence Sterling on every Hogshead of Tobacco exported out of this province, for payment of an Agent &c. Indorsed. (See page 475)

An Ingrossed Bill entituled, An Act continuing An Act of Assembly of this Province entituled, An Act for the more effectual punishment of Certain offenders, and for taking from them the Benefit of Clergy, was Read and Assented to, and sent to the Upper House, with the Paper Bill, by M^r Pearce and Capt. Hyland.

The Bill entituled An Act for dividing All-Hallows Parish in Worcester County, and for erecting a Parish out of the same, called by the name of Worcester Parish, was Read the second Time and passed, and sent to the Upper House by Cap^t Purnell and Cap^t Selby.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act to exempt Part Owners of Ships

and Vessels being Residents of this Province &c. and the following L. H. J. Message Viz. (See page 476)

The House Adjourns until the Morrow Morning at 9 of the Clock.

Friday Morning, May 25th 1744

May 25

The House met according to adjournment &c.

The Bill, entituled, an Act for punishment of Horse Stealers, and other offenders was Read, and with the amendments proposed, passed for Ingrossing.

Capt. David Wilson, a Member Returned to serve for Somerset County, appeared in the House, Ordered That Col. King and Col. Gale go to the Upper House, to see him Qualified; They Return, and acquaint M^r Speaker they saw him qualified in the usual manner, by taking the Oaths to the Government &c.

The Gentleman took his seat in the House

M^r Speaker communicates to the House the following Message communicated to him, &c. Viz.

Gentlemen of the Lower House of Assembly.

As the latest advices from England leave us very little, if any, room to doubt of a French war, I once more Recommend to you a Provision for Arms and Ammunition for the necessary Defence of the Province, and hope you will give it in such a way, that the Government may with Honour Accept it: The offer of it in any other manner will be only a mispending of time, and cannot possibly conceal a manifest Resolution in you, notwithstanding your Professions to the contrary, to leave this Country destitute of the means to protect it self at this dangerous and critical Juncture.

I don't find that you have yet had any Regard to my Recommendation of a Militia Law, which I think very Extraordinary considering the necessity of it.

T. Bladen.

M^r John Courts, a member Returned to serve for Charles County, appeared in the House Ordered, That M^r Smallwood and M^r William Wilkinson go to the Upper House to see him Qualified. They return and acquaint M^r Speaker they saw him Qualified in the usual manner, by taking the several Oaths to the Government &c. p. 409

The Gentleman took his Seat in the House

M^r Magruder from the Committee of Aggrievances and Courts of Justice, delivers M^r Speaker the following Report, Viz.

By the Committee of Aggrievances and Courts of Justice.
May 25. 1744.

Your Committee have Viewed the following offices Viz. The Clerks office of the House of Delegates, and find the following Books, containing the Journals of Assembly, for the years respectively mentioned, in Bound Books, one of which wants new Binding,

L. H. J. Viz. one Book of Journals beginning September the Twentieth Sixteen Hundred and ninety Three, and ending May the ffourteenth, Sixteen Hundred and ninety six; one other Book of Journals, beginning December the sixth Seventeen Hundred and ffour, and ending November the ffourteenth Seventeen Hundred and Thirteen; one other Book of Journals, beginning June the Twenty second, seventeen Hundred and ffourteen, and ending November the Third, seventeen Hundred and Twenty Two; one other book of Journals beginning September the Twenty Third, Seventeen Hundred and Twenty Three, and ending October the Thirtieth, Seventeen Hundred and Twenty seven; one other Book of Journals, beginning October the Third, Seventeen Hundred and Twenty Eight, and ending June the Twelfth, Seventeen Hundred and Thirty nine; and one other Book of Journals, beginning April the Third Seventeen Hundred and fforty, and ending October the Twenty ninth, seventeen Hundred and fforty Two.

And we also find by a List delivered to us, that there is lodged in the Provincial office, the following Journals of the House of Delegates, for the Years herein after mentioned, but in loose Sheets viz. the Years Sixteen Hundred and Sixty ffour, Sixteen Hundred and Sixty Six, Sixteen Hundred and Seventy one, Sixteen Hundred and Seventy Six, Sixteen Hundred and Eighty one, sixteen Hundred and Eighty Three, Sixteen Hundred and Eighty Six, Sixteen Hundred and Eighty Eight, Sixteen Hundred and Ninety Two, two of Sixteen Hundred and ninety Seven, Sixteen Hundred and Ninety nine, Seventeen Hundred and one, and Seventeen Hundred and Three.

And we are informed, that there are Several Journals of the Lower House in the Council office, We likewise find several promiscuous papers; and that the said Assembly office wants some Repairs. And we likewise find that the following Order was made, at a Session of Assembly, in the Year, Seventeen Hundred and Thirty ffour; Viz.

Whereas it appears to this House, that Several Journals of this House in the preceding Assemblies, are not now upon Record in the Assembly office: Ordered that M^r Macnemara collect and Record the same, and that he be allowed for his Services therein.

Which order we do not find any ways comply'd with, and Refer the Consideration thereof to your Honourable House.

Your Committee have likewise viewed the Provincial office, and find the latest Commission granted in the said office, Dated the ffourteenth Day of March, Seventeen Hundred and fforty Three; and that all the Justices in the said Commission mentioned, except one, qualified themselves by taking the Several Oaths appointed by Act of Assembly to be taken to the Government, as also the Oath of Judge or Justice, made in the Year Seventeen Hundred and Thirty

Two: And We likewise find Records and Proceedings of the said L. H. J. Court, to October Term, Seventeen Hundred and fferty Three: And we find Deeds Recorded in the said office, to April Seventeen Hundred and fferty ffour; and the said office generally in good Order. Your Committee have likewise viewed the Commissary's office, and find Wills Recorded in the said office, to November Seventeen Hundred and fferty Three; and Accounts entered to July, Seventeen Hundred and fferty Three; and Inventories to January, Seventeen Hundred and fferty Three, and the Books and papers generally in good. Your Committee have likewise viewed the Land-office and find that several Certificates and Patents are Recorded to December, Seventeen Hundred and fferty Two; and that many Certificates are not Recorded, for want of Caution being paid, or other Requisites; that the Composition Money paid his Lordship for vacant uncultivated Lands, is five pounds Sterling per Hundred, and ffour Shillings Sterling Yearly Rent, which in our neighbouring Colony of Virginia, immediately under his Majesty's Government, is no more than Ten shillings Sterling for every Hundred Acres, and that given by his Majesty into the Treasury of that Colony, for defraying the Contingent Charges of Government, and the Yearly Rent has not exceeded Two Shillings Sterling per Hundred Acres, and that payable at the Choice of the people there, in Tobacco at one penny per pound; which Composition is taken in Maryland by the following Instruction.

Copy of his Lordship's ffirst Instruction, dated at London, December 15. 1738.

We do Authorize and impower you, with the Advice and Consent of Our Governor and Secretary for the time being, to grant any Surplus or other Lands, our Manors or Reserves excepted, on such Terms and Conditions as to you shall seem equitable and just; tho' not under the Conditions of ffour shillings Reserved Rents, and ffive Pounds Sterling Caution Money per Hundred Acres. You are nevertheless to Demand, where you Judge the Case will admit of it, such further Caution Money and Reserved Rent, as to you the Governor and Secretary, for the time being, shall seem Just and expedient.

We also find that there is an Instruction of Seventeen Hundred and Thirty Three, where the Composition is to be at fferty shillings sterling per Hundred Acres, and Ten Shillings Sterling Reserved Rent per annum, of which the Register says no use has been made, since the above Instruction of the ffifteenth of September, Seventeen Hundred and Thirty Eight; and that the Books and papers are generally in good Order. All which is Humbly Submitted to the Consideration of your Honourable House. p. 410

Signed per Order E. Dorsey Ct. Com.

L. H. J. Mr Nicholas Goldsborough delivers Mr Speaker an Address to the Governor, which was Read, approved and ordered to be In-grossed.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

On Consideration of the Amendments sent down from the Upper House, to the Bill entituled, An Act, to divide Prince George's County, and to erect a new County on the Upper part thereof, the House doth not agree with the Amendments Proposed, in Regard, his Lordship's Assent or Approbation to Bills pass'd by the Legislature here, as Required therein, is an Innovation on the Rights of the people, and contrary to the manner of passing Laws within this Province

The House, on Consideration of the Governor's Message Relating to Arms and Ammunition &c.

The Question was put, Whether this Question shall be put, Viz. Whether a Bill for Arms and Ammunition shall be brought in, in any other Shape, than has already been this Sessions, and sent to the Upper House for that purpose.

Which was carried in the Negative: as a Bill, pass'd this Session by this House, and sent to the Upper House, sufficiently providing for Arms and Ammunition for Defence of this province, was by said Upper House refused, which Bill was Entred on the Journal of this House on the 10th Instant.

ffor the Negative,

Mr Waughop	Mr Worthington	Mr Courts
Mr Swann	Mr Smith	Mr N. Goldsborough
Capt. Chesley	Mr Weems	Capt. Ennalls
Mr R. Gresham	Mr J. Hall	Capt. Hindman
Mr G. Wilson	Mr Brome	Mr Pearce
Mr J. Gresham	Mr Smallwood	Capt. Hyland
D ^r Carroll	Capt. Harrison	Mr Thomas
Major Hall	Mr W. Wilkinson	Mr J. Goldsborough
Major Sheredine	Mr Wootton	Mr T. Wilkinson
Mr Paca	Mr Sprigg	Mr T. Hammond
Mr Magruder	Mr Pemberton	

ffor the Affirmative

Mr Calder	Mr Lecompte	Capt. Purnell
Col. King	Mr George	Capt. Robins
Mr Stoughton	Col. Colvill	Col. Henry
Col. Gale	Capt. Gordon	Capt. Selby
Capt. D. Wilson	Col. Tasker	
Major Trippe	Capt. Wright	

M^r Smith, M^r Goldsborough, and Doctor Carroll, appointed to L. H. J. prepare an Address to the Governor in relation to his Message relating to Arms and Ammunition &c.

On Motion of a Member for leave to bring in Address to the Governor relating to his Lordship's Quit Rents; Leave is given.

M^r Nicholas Goldsborough brings in the following Ingrossed Address Viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland.

The Humble Address of the House of Delegates.

May it please Your Excellency,

We have maturely Considered your Message, wherein you inform us, that by the estimate made of the sum necessary for the Carrying on, and completing the Building a Governor's House, will be Two Thousand Pounds more than is already Provided; and hope you will excuse us if we cannot agree to that Estimate, especially, when you consider that 'tis enacted in the Law thereof in the last Session, "That the purchasing the said ffour Acres of Land, inclosing the "same, as also the Building thereon a Dwelling House, and other "Conveniences, for the Residence of the Governor of Maryland for "the Time being, shall not exceed the Sum of ffour Thousand "Pounds Current money of Maryland, as herein and before applied "and granted to and for the uses and purposes aforesaid."

As we are not to Suspect any Design of Enhancing unnecessary Charges on us, by any persons in public Trust, much less shall we expect your Excellency's Honour and Prudence; and tho' the House may not be so ornamental, yet, we Doubt not, but (with your prudent Management,) it may be finished, or near so, with the sum provided.

Which was Read and assented to and Signed by Order of the House by the Honourable Speaker.

Ordered, That M^r Richard Gresham and Capt. Chesley acquaint the Governor this House hath prepared an Address to him, and desires to know when & where he will Receive it. They Return and acquaint M^r Speaker the Governor is Ready in the Conference Chamber to receive it.

M^r Smith and M^r Thomas, Ordered to present the Address; They p. 411 return and acquaint M^r Speaker they presented it.

An Ingrossed Bill entituled, A supplementary Act to the Act Entitled, An Act for laying out a Town at a place called Long point on the West side of North East River, in Cecil County:

An Ingrossed Bill, entituled An Act for punishment of Horse-Stealers and other offenders.

And an Ingrossed Bill, entituled, An Act to enable the Rector, Vestry-men and Church-Wardens of St. James's Parish in Anne Arundell County, to Lease Lands belonging to St. James's Church, in manner and to the Uses therein mentioned.

L. H. J. Were Severally Read and Assented to, and sent to the Upper House with the paper Bills, by Col. Colvill and Capt. Hyland.

Mr Speaker communicates to the House the following message communicated to him, Viz.

Gentlemen of the Lower House of Assembly

When I sent a Message last Session, desiring your House to nominate Two of your Members to join Two of the Upper House in a Treaty with the Indians, I little thought you would have Ventured at giving any Instructions to such Members for their Conduct, either before, or at such Treaty; since it was never Imagined (I believe) that the Recommendation of a person, as fit for a Trust or a Duty, gave any Right or Authority to the persons Recommending, to direct his Behaviour in any Case; and much less where such directions might possibly clash or interfere with those he might Receive from the Power, by which he was to be invested with such Trust: But I find by a Copy of Instructions sent with your Address of the 23^d Instant, that you seem to entertain a Contrary opinion, and which opinion you endeavour to establish (I suppose) by way of Experiment, how far you may succeed in Attempting to get into your Hands a power, quite inconsistent with our Constitution; and that not in a trifling Case; but upon an occasion which so greatly concerns the well being of this Province, and the Honour and Dignity of Majesty it self, under whom his Lordship holds the powers and Exercise of Government, that you cannot be Surprized if I consider particularly the Liberty (for so I must call it) you have taken in giving Instructions, the Nature of those Instructions, and the Justification of them in your Address.

The prerogative of making, or treating about Peace or War, is such an acknowledged and undoubted Right in the Crown, that either or both Houses of Parliament never pretended to authorize, or instruct any Minister employed in such negotiations: This power is delegated by the Royal Charter, to the Lord Proprietary of this province, who has done me the Honour, with the Royal approbation, to appoint me Governor thereof; and yet the Lower House of a Maryland Assembly, without my Concurrence or privity, has in this instance assumed to themselves an Authority, which a British House of Commons never attempted. You cannot now, for the Reasons already given, beleive my willingness to accept of Two persons upon your nomination, transferred any other power to you, than that of Recommending only; and it was impossible for you to conceive their Seats in your House intituled you to any such Authority, since you could not be Ignorant that it very rarely Happens any plenipoten-tiary, or other Minister, is employed in such Negotiations, but who is of the one or other House of Parliament; so that I cannot but look on these Instructions as an Essay, to set up a power in your House, unknown to every Constitution and Government under the British Government.

The Instructions themselves fall next under my Consideration, L. H. J. and I may Safely Appeal to every candid person, whether the whole Tendency of them is not rather to Lessen, than support the Dignity of this Government, and to inflame and aggravate, rather than pacify and Settle, any Difference which may be between this province and the Indians: ffor these purposes, the people of Maryland are Spoke of on every occasion, where the mention of them can be Introduced with any pretence, but the Government, or Lord Proprietary, are not once taken notice of, as if they were of no significancy in this Affair; and even the Indian Interpreter is a person, whom the Lower House thinks fit to rely on for their Information, rather than myself. It seems to be with such Views, that so many enquiries are set on ffoot as may possibly alarm the Indians; as if the Government of Maryland had Designs rather to stir up fresh Animositities, than rectify the present misunderstandings: and the 9th and 14th Articles plainly tend to raise a Distinction in the minds of the Indians, between the proprietary and people of Maryland, as if there could be a peace between the People of Maryland and the Indians, and not between the Lord Proprietary and the Indians. But the 18th Article limits the negotiation to 300^{ts} sterling; so that if the Indians should insist on a greater Sum, there could be no Treaty made, since the Assembly would not be sitting, to whom Recourse might be had for further directions; and the Consequences of the Indians Resentment on such Disappointment might be when they should be so near our Borders, too Terrible not to be avoided if possible

I come now to take Notice of what you say in your Address, "That these Instructions were drawn up, to be privately made use of by your Members in their way, and during that negotiation &c." And for the truth of this Assertion, you Appeal, "to the Nature of them, that it cannot be conceived they were intended in any other manner," I must own I have some Satisfaction in that self Conviction you seem to have, of the Impropiety of those Instructions; and I wish the Testimony you rely on from the Nature of the Instructions, would bear you out in the Interpretation you now put upon them; But the very Title of your Instructions, as well as the Body of them, shew the Contrary; The Title Runs thus; Viz. p. 412

September Session 1742, Instructions from the House of Delegates of the Province of Maryland, to Col. Robert King and D^r Charles Carroll, for Treating with the Six Nations of Indians, in Conjunction with appointed by the Upper House.

I need not after this endeavour at any explanation to prove these Instructions were designed as Directions to, and Obligatory on, the Gentlemen there named, in carrying on their Treaty, which was not to be done privately, or in their way.

I cannot omit observing what Care has been taken to keep those Instructions Secret 'till this Time; for altho' they were fframed and

L. H. J. resolved last Session, yet I declare never to have heard the least mention of them 'till within these two or three Days, nor does any Entry appear on your Journals, that your House had any Instructions relating to this Affair under Consideration; and although you might think it advisable to keep the Matter of them from the knowledge of the world, yet surely a Governor might reasonably expect to be informed of the Particulars, but this seemed to be guarded against as much as the Proceedings of the House could admit of, by a total silence on the Journals of any Instructions being at any time before the House.

As I have acquainted you in what Light I view those Instructions, I must further say Plainly, you have taken upon your selves a Province which does not belong to you, and that I hope you will, upon Consideration of this matter, retract them, for I cannot consistent with the Duty of my Station, Commission any person who shall think himself obliged to observe and pursue any other Directions than such as he shall Receive from my self only.

T. Bladen

M^r Wootton brings in a Bill entituled, A Supplementary Act to the Act entituled, An Act for the Relief of Debtors and ascertaining the manner of Tenders in Tobacco, and to the Supplementary Act thereto; which was Read the first time, and Ordered to lie on the Table.

The House Adjourns until the Morrow Morning, at 9 of the Clock

May 26

Saturday Morning, May 26, 1744

The House met according to Adjournment &c. All appeared except M^r Calder, who hath Leave to go home,

Col. Hammond from the Upper House, delivers M^r Speaker the Bill entituled, An Act to Remedy some defects in an Indenture of Bargain and Sale &c. Indorsed, (See page 477)

Which Bill was here Read and passed for Ingrossing.

The House taking into Consideration the Governor's Message, relating to the Instructions given last Assembly to the Commissioners appointed by this House to Treat with the Indians: Ordered, That the several Gentlemen of the Committee of Laws, and Col. King, prepare an Address to the Governor in Answer thereto.

James Hollyday Esq^r from the Upper House, delivers M^r Speaker, the Bill, entituled, An Act for dividing All Hallows Parish, in Worcester County &c Indorsed, (See page 477)

Which Bill was here Read and passed for Ingrossing

Edmund Jenings Esq^r from the Upper House delivers M^r Speaker the Bill Intituled, An Act for enlarging the Jurisdiction of the County Courts, Indorsed, (See page 478)

The Bill entituled, An Act for Issuing Writs of Replevin, out of L. H. J. the County Courts of this Province, was Read the second time, and Passed, and sent to the Upper House by William Stoughton and Capt. Wilson.

Ordered, That Col. King, Col. Colvill, Col Gale, Major Hall, Major Sheredine, and Major Trippe, inspect the Acts of Assembly of this Province, relating to the Militia thereof; and also what Acts of Assembly Subsisted during the Reign of her Late Majesty Queen Anne, and consider what may be further necessary to be added to the Laws now in force, to make them effectual to the purposes intended, and make Report thereof to this House.

George Plater Esq^r from the Upper House, delivers M^r Speaker the Bill entituled An Act for laying out the Town a-new, commonly called Upper Marlborough Town, in Prince Georges County.

Which Bill was Read, and with the amendment proposed, passed p. 413 for Ingrossing

M^r George brings in an Ingrossed Address to the Governor.

On Reading thereof the Question was put, Whether the Sum to be mentioned in the Address, to be laid on Every Hogshead of Tobacco, exported out of the Province, shall be Two Shillings and Six pence Sterling, or Two shillings and Three pence?

Resolved, That the Sum be Two Shillings and Six pence

ffor the Sum of Two Shillings and six Pence

M ^r R. Gresham	Major Trippe	M ^r Pemberton
M ^r G. Wilson	Capt. Ennalls	Capt. Wright
M ^r J. Gresham	Capt. Hindman	M ^r T. Wilkinson
Capt. Harrison	M ^r Lecompte	M ^r T. Hammond
M ^r Courts	M ^r George	Capt. Purnell
Col. King	Col. Colvill	Capt. Robins
M ^r Stoughton	M ^r Pearce	Col. Henry
Col Gale	Capt. Hyland	Capt. Selby
Capt. D. Wilson	Capt. Gordon	
M ^r J. Goldsborough	Col. Tasker	

for the Sum of Two Shillings and Three Pence

M ^r Waughop	M ^r Weems	M ^r Sheredine
M ^r Swann	M ^r J. Hall	M ^r Paca
Capt. Chesley	M ^r Brome	M ^r Magruder
D ^r Carroll	M ^r Smallwood	M ^r Wootton
Major Hall	M ^r W. Wilkinson	M ^r O. Sprigg
M ^r Worthington	M ^r N. Goldsborough	
M ^r Smith	M ^r Thomas	

L. H. J. The Question was put, whether the Term of Years to be mentioned in the Address, shall be seven years, or Three years? Resolved, That it be for the Term of Seven years.

ffor the Term of Seven years.

M ^r R. Gresham	M ^r J. Goldsborough	Col Tasker
M ^r G. Wilson	Major Trippe	M ^r Pemberton
M ^r I. Gresham	Capt. Ennalls	Capt. Wright
Capt. Harrison	Capt. Hindman	M ^r T. Wilkinson
M ^r Courts	M ^r Lecompte	M ^r T. Hammond
Col. King	M ^r George	Capt. Purnell
M ^r Stoughton	Col. Colvill	Capt. Robins
Col. Gale	M ^r Pearce	Col. Henry
Capt. D. Wilson	Capt. Hyland	Capt. Selby
M ^r Thomas	Capt. Gordon	

ffor the Term of Three years

M ^r Waughhop	M ^r Smith	M ^r N. Goldsborough
M ^r Swann	M ^r Weems	Major Sheredine
Capt. Chesley	M ^r Brome	M ^r Paca
D ^r Carroll	M ^r J. Hall	M ^r Magruder
Major Hall	M ^r Smallwood	M ^r Wootton
M ^r Worthington	M ^r W. Wilkinson	M ^r Sprigg

The Question was put, whether the Address be Assented to, or not? Resolved in the Affirmative.

ffor the Affirmative

M ^r Swann	M ^r Thomas	Capt. Gordon
M ^r R. Gresham	M ^r J. Goldsborough	Col. Tasker
M ^r G. Wilson	Major Trippe	M ^r Pemberton
M ^r J. Gresham	Capt. Ennalls	Capt. Wright
Capt. Harrison	Capt. Hindman	M ^r T. Wilkinson
M ^r Courts	M ^r Lecompte	M ^r T. Hammond
Col. King	M ^r George	Capt. Purnell
M ^r Stoughton	Col. Colvill	Capt. Robins
Col. Gale	M ^r Pearce	Col. Henry
Capt. D. Wilson	Capt. Hyland	Capt. Selby

ffor the Negative

M ^r Waughop	M ^r Wootton	Major Sheredine
Capt. Chesley	M ^r Brome	M ^r Paca
D ^r Carroll	M ^r Smallwood	M ^r Magruder
Major Hall	M ^r W. Wilkinson	M ^r Weems
M ^r Worthington	M ^r N. Goldsborough	M ^r O. Sprigg
M ^r Smith	M ^r J. Hall	

The following Ingrossed Address, viz.
To his Excellency Thomas Bladen Esq^r Governor of Maryland

L. H. J.

p. 414

The humble Address of the House of Delegates
May it please your Excellency

We return your Excellency our hearty Thanks for your care in transmitting to his Lordship the Lord Proprietary our Address at the last Sessions of Assembly concerning an equivalent to be made in lieu of his Lands-Rents within this Province

Had his Lordship thought proper to Delegate his full Power to your Excellency in this matter, it would have much facilitated the Affair, which might be more easily concluded here, to the Ease and Advantage of the People, and without being in the least repugnant to his just Rights; a thing which we are far from desiring.

But as it is the Lord Proprietary's Pleasure that our propositions should be transmitted to him by your Excellency we now request your favour to lay before his Lordship, that we propose in that Case a Duty of Two Shillings and Six Pence Sterling Money to be laid on Every Hogshead of Tobacco to be Exported out of the Province, for a Term not exceeding seven years, to be Collected by the Naval officers, and by them to be paid to his Lordship's order in London, and pray your Excellency's kind offices therein.

Was Indorsed, Read and Assented to, and Signed by Order of the House, by the Honourable Speaker.

The Bill entituled, An Act for the Tryal of all Matters of ffact in the Several Counties where they have arisen, or shall arise, was Read the second Time and Passed.

M^r Wootton delivers M^r Speaker a Bill entituled, An Act empowering the Vestry-men and Church Wardens of King George's Parish, in Prince George's County, to Purchase Three Acres of Land in the said Parish, to build a Chapel of Ease; and to empower the Justices of Prince George's County, to Levy on the Taxable Inhabitants of the said Parish in the said County the Sum of for the uses therein mentioned; which Bill was Read the ffirst Time, and ordered to lie on the Table

The House Adjourns until Monday Morning at 9 of the Clock.

Monday Morning May 28 1744

May 28

The House met according to Adjournment &c. All appeared as on Saturday, except M^r Pearce and M^r Magruder.

M^r Robert Lloyd appeared this Day.

The Bill entituled, An Act for the Tryal of all matters of ffact &c. was sent to the Upper House by M^r R. Gresham and Capt. Harrison

The Bill, entituled, An Act empowering the Vestry men and Church Wardens of King George's Parish in Prince George's

L. H. J. County, to purchase Three Acres of Land &c was Read the second time and passed, and sent to the Upper House by M^r Courts and Capt. Chesley.

Ordered, That Col. Tasker and Capt. Purnell acquaint his Excellency, this House hath prepared an Address to him, and desires to know when and where he will Receive it: They Return and Acquaint M^r Speaker, the Governor will be ready in half an Hour, to Receive it in the Conference Chamber.

Ordered, That William Stoughton Esq^r and Three more present the Address to the Governor; They return and acquaint M^r Speaker, they presented it.

M^r Smith delivers M^r Speaker an Address to the Governor, which was Read, approved, and Ordered to be Ingrossed.

M^r Speaker communicates to the House the following Message communicated to him by the Governor; Viz.

Gentlemen,

I find by your Address to me, you don't think proper to give a further Sum for compleating the House; however I can hardly think, you will judge prudent, not to allow as much as will be sufficient to cover it in. I cannot possibly determine what that will amount to; but as near as I can guess, it will be Eight or nine Hundred Pounds. If you will give that sum, I Promise you to use no more of it than will barely answer the End of saving the Building from Ruin, and which I hope, for the sake of good Husbandry, you will have Regard to.

Tho. Bladen

The House Adjourns until 2 of the Clock in the Afternoon.

Post Meridiem

The House met According to Adjournment &c.

p. 415 The Bill entituled a Supplementary Act to the Act entituled, An Act for the Relief of Debtors &c. was Read the Second time, and passed, and sent to the Upper House, by M^r Wootton and M^r John Goldsborough.

An Ingrossed Bill entituled, An Act for Dividing All-Hallows Parish, in Worcester County, and for erecting a Parish out of the same, called by the Name of Worcester Parish; and an Ingrossed Bill entituled, An Act to enable Certain Commissioners therein named, to Lay out fforty Acres of Land into Eighty Lots, at the Head of Asseteague Creek, at a Place commonly Called the Trap, for a Town; were Severally Read and Assented to, and sent to the Upper House with the Paper-Bills, by Capt. Selby and Cap^t Robins,

An Ingrossed Bill entituled, An Act to remedy some Defects in an Indenture of Bargain and Sale, made and executed by Michael Curtis and Sarah his Wife, late of St. Mary's County Deceased; was Read and Assented to, and sent to the Upper House, with the Paper-Bill, by Col. Tasker and Col. Henry.

A Bill entituled, An Act for the Releif of ffrancis O'Connor, L. H. J. Robert Noble, of Dorchester County Goal; Thomas Joy, a Languishing Prisoner in Talbot County Goal; Cornelius Mahany, of Cecil County, Taylor, a Languishing Prisoner in Cecil County Goal; was Read the ffirst time, and Ordered to lie on the Table.

M^r Goldsborough brings in the following Address, Ingrossed; Viz:

To his Excellency Thomas Bladen Esq^r Governor of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

This House hath tender'd a Bill, for Providing Arms and Ammunition for the Defence of the Province, and that in a larger Sum, than had been heretofore usual, in such Manner as we conceived most proper for our own Security, and the Rights and Privileges of those we Represent; which has been refused by the Upper House. This shews a manifest resolution in them not to accept of that provision, however necessary it may be, unless given in their way, which this House can in no wise agree to; and therefore must refer the sincerity of our intentions to the ffact, and Impartial Judgement of others thereon.

As your Excellency's Recommendation shall always be duly Regarded, by this House, so that in relation, to the Militia Laws of this Province, is now under Consideration, and we shall do therein, what we conceive the necessity of the Case Requires.

Which was Read and Assented to, and Signed by Order of the House by the Honourable Speaker.

Ordered, That M^r N. Goldsborough and Col. Gale acquaint his Excellency, this House hath prepared an Address to him, and desires to know when and where he will Receive it: They return and acquaint M^r Speaker, the Governor would Receive the Address in the Conference Chamber, in half an Hour.

Ordered, That M^r N. Goldsborough and Col. Gale present the Address; They return, and Acquaint M^r Speaker, they presented it.

A Bill entituled, An Act empowering Mary Stokes, Widow and Executrix of Humphrey Wells Stokes, late of Baltimore County, Gent. deceased, to sell and dispose of the Lands and Tenements therein mentioned, to be sold for the uses and purposes thereby directed; was Read the ffirst and second time, by an especial order, and passed, and sent to the Upper House by M^r W. Wilkinson and Cap^t David Wilson.

The House adjourns until the Morrow Morning at 9 of the Clock

Tuesday Morning, May 29. 1744

May 29

The House met according to Adjournment, &c. All present as Yesterday except Cap^t Hyland.

L. H. J. The Bill entituled, An Act for Limitation of the Time of Shipping Tobacco, was Referred for a further Reading on the last Day of June next.

On Reading a Second time, the Bill entituled, An Act for Raising a Duty of Three half pence Sterling per Hogshead on all Tobacco exported out of this Province for the use of the Governor, The Question was put, whether the said Bill shall pass, or not? Carried in the negative.

ffor the Negative

p. 416	Mr Waughop	Mr J. Hall	Mr Thomas
	Mr G. Wilson	Mr Brome	Mr J. Goldsborough
	Mr J. Gresham	Mr Smallwood	Major Sheredine
	D ^r Carroll	Capt. Harrison	Mr R. Gresham
	Major Hall	Mr W. Wilkinson	Mr Paca
	Mr Worthington	Capt. Chesley	Mr Wootton
	Mr Smith	Mr Courts	Mr Sprigg
	Mr Swann	Mr N. Goldsborough	Mr Pemberton
	Mr Weems	Mr Lloyd	Mr T. Wilkinson

ffor the Affirmative

Col King	Cap ^t Hindman	Mr T. Hammond
Mr Stoughton	Mr Lecompte	Capt. Purnell
Col. Gale	Mr George	Capt. Robins
Capt. D. Wilson	Col. Colvill	Col. Henry
Major Trippe	Col. Tasker	Capt. Selby
Capt. Ennalls	Capt. Wright	

Which Bill was Indorsed, Read the second time and will not pass.

Col. Lloyd from the Upper House, delivers M^r Speaker the Petition of Robert ffloyd, a Languishing Prisoner in Queen Anne's County; which was here Read and Granted, and ordered to be in-certed in the Bill for relief of Languishing Prisoners.

Daniel Dulany Esq^r from the Upper House, delivers M^r Speaker the Bill entituled, An Act empowering Mary Stokes, Widow, &c.

And the Bill entituled, An Act empowering the Vestrymen &c. of King George Parish, in Prince George's County &c. to purchase Three Acres of Land &c Severally Indorsed, (See page 480)

Which Bills were here Read, and Passed for Ingrossing.

On Reading the Governors Message of Yesterday, the Question was put, Whether a Bill shall be brought in to Continue that Part of the Act, entituled, An Act for Raising and Issuing Money for maintaining his Majesty's fforces to be raised in this Province, and for transporting them to the place of Rendezvous in the West Indies, which relates to ordinary Licences, for raising the sum of 900^{ts} towards Building an House for the Residence of the Governor, for the Time being, or not? Resolved in the Affirmative

ffor the Affirmative,

L. H. J.

M^r Waughop
M^r Swann
Capt. Chesley
M^r I. Gresham
D^r Carroll
Major Hall
M^r Smith
M^r Weems
Col. King

M^r Stoughton
Col. Gale
Capt. D. Wilson
Major Trippe
Capt. Hindman
M^r Lecompte
M^r George
Col. Colvill
M^r Paca

Col. Tasker
M^r Pemberton
Capt. Wright
M^r T. Wilkinson
M^r T. Hammond
Capt. Purnell
Capt. Robins
Col. Henry
Capt. Selby

ffor the Negative

M^r R. Gresham
M^r G. Wilson
M^r Worthington
M^r N. Goldsborough
M^r Lloyd
M^r Thomas

M^r J. Hall
M^r Brome
M^r Smallwood
Capt. Harrison
M^r J. Goldsborough
Capt. Ennalls

M^r W. Wilkinson
M^r Courts
M^r Wootton
M^r O. Sprigg

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment, &c.

Col. Colvill from the Committee appointed to Inspect the office and proceedings of the Commissioners for Emitting Bills of Credit &c. delivers M^r Speaker the following Report, Viz. (See page 480)

On motion of a Member, Ordered, That the Two Addresses of this House, to the Lord Proprietary of this Province of last Session, be entred in the Votes and Proceedings of this Day; p. 420

Which follow in these Words, viz. (See pages 366 and 379) p. 421

The House Adjourns until the Morrow Morning at 9 of the Clock.

Wednesday Morning, May 30. 1744.

May 30

The House met according to adjournment &c.

An Ingrossed Bill intituled, An Act for laying out the Town anew, commonly called Upper Marlborough Town, in Prince George's County, and an Ingrossed Bill intituled, An Act empowering the Vestry-men and Church-Wardens in King George's Parish in Prince George's County, to purchase Three Acres of Land in the said Parish, to build a Chapel of Ease on, and to empower the Justices of Prince George's County to Levy on the Taxable Inhabitants of the said Parish, in the said County, the sum of Eight Hundred Pounds Current Money, for the uses therein mentioned; were p. 422

L. H. J. Severally Read and Assented to, and sent to the Upper House, with the Paper Bills, by M^r Wootton and M^r Thomas Hammond.

An Address to the Governor, in answer to his Message of the 25th Instant, being brought in; the Question was put, Whether this House approves thereof? Resolved in the Affirmative.

ffor the Affirmative

M ^r Waughop	M ^r Smith	M ^r N. Goldsborough
M ^r Swann	M ^r Weems	M ^r Lloyd
Capt. Chesley	M ^r J. Hall	M ^r J. Goldsborough
M ^r R. Gresham	M ^r Brome	Major Sheredine
M ^r G. Wilson	M ^r Smallwood	M ^r Paca
D ^r Carroll	Capt. Harrison	M ^r Wootton
Major Hall	M ^r W. Wilkinson	M ^r Sprigg
M ^r Worthington	M ^r Courts	M ^r T. Wilkinson

ffor the Negative

p. 423 M ^r J. Gresham	Capt. Ennalls	Capt ^t Wright
Col. King	Capt. Hindman	M ^r T. Hammond
M ^r Stoughton	M ^r Lecompte	Capt. Purnell
Col. Gale	M ^r George	Capt. Robins
Capt. D. Wilson	Col. Colvill	Col. Henry
M ^r Thomas	Capt. Gordon	Capt. Selby.
Major Trippe	M ^r Pemberton	

The Address was ordered to be Ingrossed.

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

The Petition of the Visitors of Anne Arundel County School, was Read and Referred to next Assembly.

William Stoughton Esq^r delivers M^r Speaker a Bill entituled, An Act to enable the Visitors of the Public School of Somerset County for the time being, to sell the Land belonging to the said Public School, and to purchase other Land, to build a School thereon; which was read the ffirst and second time by especial Order, and will not pass.

A Bill entituled, An Act continuing part of an Act of Assembly of this Province entituled, An Act for raising and Issuing Money, for maintaining his Majesty's fforces to be raised in this province, and for Transporting them to the place of Rendezvous in the West Indies; was Read the ffirst Time, and on the Second Reading by Especial Order, the Question was put, Whether the said Bill shall pass, or not? Resolved in the Affirmative.

ffor the Affirmative

L. H. J.

M ^r Waughop	Col. Gale	M ^r Pemberton
M ^r Swann	Cap ^t D. Wilson	Cap ^t Wright
Cap ^t Chesley	Major Trippe	M ^r T. Wilkinson
M ^r J. Gresham	Capt. Hindman	M ^r T. Hammond
D ^r Carroll	M ^r Lecompte	Cap ^t Purnell
Major Hall	M ^r George	Cap ^t Robins
M ^r Smith	Col. Colvill	Col. Henry
M ^r Weems	M ^r Paca	Capt. Selby
Col. King	Cap ^t Gordon	
M ^r Stoughton	Col. Tasker	

ffor the Negative

M ^r R. Gresham	Cap ^t Harrison	M ^r J. Goldsborough
M ^r G. Wilson	M ^r W. Wilkinson	Capt. Ennalls
M ^r Worthington	M ^r Courts	Major Sheredine
M ^r J. Hall	M ^r N. Goldsborough	M ^r Wootton
M ^r Brome	M ^r Lloyd	M ^r O. Sprigg
M ^r Smallwood	M ^r Thomas	

Which Bill was Indorsed, will pass, and was sent to the Upper House by William Stoughton Esq^r and Cap^t Chesley.

The Bill entituled, An Act for the Releif of Francis O Connor, Robert Noble, of Dorchester County, Planters, Joseph Richardson of the said County Shoemaker, Languishing prisoners in Dorchester County Goal &c. was Read the second time and passed, and sent to the Upper by Capt. Ennalls and Cap^t Hindman

The following Ingrossed Address, Viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland:

The humble Address of the House of Delegates

May it please your Excellency,

Your Excellency's Message of the 25th Instant to this House, being of an Extraordinary Nature, and containing very forced Accusations of the Intentions of this House, we choose to Attribute to the cavilling Temper and malevolent Disposition of others, rather than to your Excellency, from whose good Nature, kind and beneficent Temper, we hope for a Milder Interpretation of our Words and Actions.

It is but a mean and low practice to endeavour to raise and keep up strife between Government and People, and when your Excellency considers it truly, you will look on those who endeavour to render themselves necessary by such methods, as much Enemies to his Lordship and your self, as they certainly are to the people.

We can with great truth and sincerity assure your Excellency, that we never had, nor have it in our thoughts or Inclinations, to

L. H. J. Attempt getting into our Hands any share or part of the Power of
 p 424 Government, as is in that Message supposed; and we should think our Selves very happy, as well as those we Represent, could we preserve our own Rights, Liberties and Privileges, without infringing on the prerogatives of Government, the Right of which devolved on the Lord Proprietary by the Royal Charter, we know of none so wild as to Deny; but how Majesty itself has been drawn into the Present Case, we are at a loss to know, unless it was to Render the thing more Terrible and give the greater force to the designed accusation.

And now we Crave leave to refer your Excellency herein, to the Letters or Demands of the Six Nations of Indians, communicated by you to this House last Session, Viz. No. 1 and 2; which, and a Message from your Excellency of the 24th of October 1742, gave Rise to an Address, in Answer thereto, of the 29th of the same month, and of which Address, your Excellency was pleased to approve in the following Paragraph of your Speech, at the Close of the said Session; viz. "I cannot but express my Satisfaction of your Treatment of my Message relating to the Indians, and you may rely on my zealous Endeavours, in the Disposition of the public Money, for the Honour and safety of the province" and yet the said Address contained the Substance of the 18th and other Articles of the Instruction mentioned, and now found fault with, and highly condemned in your Message.

We readily acknowledge the Power of War and Peace to be in the Crown, and those devolved as aforesaid, and doubt not it will be granted that giving Money and Support to such War or Peace is the Privilege of the People, whose sense of, and Disposition to either is seldom rejected.

The Basis of the present intended meeting with the Indians, cannot come properly under the Denomination of War or Peace, for a Treaty to the latter purpose must Suppose a Rupture Precedent; and we know of none, nor the least Provocation given by the People of Maryland to the six nations: and it plainly appears from the aforesaid Papers or Letters, that their Demand is to be paid for Land, for which the possessors of such Land have already paid his Lordship the Lord Proprietary, so consequently is a Matter relating to Private Right, and more properly may be called a Treaty of Bargain and Sale, in which we contend that his Lordship should bear a Part, if not the whole.

The lofty Terms of War and Peace, we suppose are introduced on the Present Plan of raising the accusation higher, against the Lower House of Maryland Assembly, to condemn which, the advisers of the Message have exerted a more than ordinary Sonorous Chicane.

Upon the most Mature consideration of the said Instructions, we cannot conceive that they contain any one Article or Matter, which

every Private person in Maryland hath not a Right to enquire into, L. H. J.
and inform themselves of, without the least legal Impeachment of
their Conduct; yet the whole is now Censured, and that too for not
mentioning therein the Government and Lord Proprietary; and
which, if done, had also been an accumulated Crime, since the De-
sire of being well informed of the Truth of facts, is turned into
a Diffidence of your Veracity, even our honest and plain Declara-
tion, that they were private Instructions, and the Evidence thereof,
as not being part of our Journal, is turned to a Crime, and the whole
Aggravated as if intended to sap the foundation of all Order and
Government; and the Word and Credit of the House of Delegates
of Maryland is set at nought. With what views such tortious Mean-
ings are put on our good intentions, we must refer to the Unbiassed.

And pray pardon us, if here we are obliged to tell your Excel-
lency, that some in Power, and not we, that make the Distinction
between the Lord Proprietary and the people; and as from the abun-
dance of the Heart the Mouth Speaketh, these their words will shew,
viz. "The Lord Proprietary has the Sea between him and the In-
dians, they cannot hurt him; and the Reprisals to be made for Satis-
faction for the Land, will be made on the People." This way of
reasoning persons in high Trust with his Lordship and your Excel-
lency, have used to shew, that as his Lordship had nothing to fear,
so he was not under any obligation to make the least satisfaction to
the Indians, for the Land he sells his Tenants, the People of Mary-
land, his Majesty's Liege Subjects. From this way we may conclude
the Indians insist on a greater Sum than the people can well Spare,
rather than admit the Lord Proprietary to give six Pence (however
consistent with Natural Right the Demand on him may be), they p. 425
would suffer the Terrible Consequence of the Resentment of the
disappointed Indians.

We may reasonably expect, that what has been said will suffi-
ciently convince your Excellency, that the said Instructions have
been put in a wrong light by the Message; and hope you will pardon
us, as being obliged to tell you, that if a more prudent Conduct be
not used, in bringing the Treaty intended to a Conclusion, than
(from what appears to us, and by the Public Accounts) has hitherto
been, very little Credit or Honour will redound to the negotiators,
or advantage to the Province.

And lest any Words contained in our Address last Session, "for
allowing such further sums, as may be necessary for defraying the
Expence and Charges of the said Commissioners," should be taken
or construed to extend to an unlimited Vote of Credit, on the fund
of 3^d per Hogshead, for Arms and Ammunition, contrary to the
sense of the said Address, and the Intention of this House, at that
time, In order now to clear up that matter, we beg leave to let your
Excellency know, that we shall not agree to Charge either that fund

L. H. J. or the Country, with any other Article or Sum, above the 300^{ts} afore-said; but such necessary Travelling Charges only as the Commissioners appointed, or to be appointed, shall be at, and the Account of which, when hereafter laid before this House, be approved of and allowed.

Was brought in and read; The Question was put Whether the Address be assented to, or not? Resolved in the Affirmative.

ffor the Affirmative

M ^r Waughop	M ^r Smith	M ^r N. Goldsborough
M ^r Swann	M ^r Weems	M ^r Lloyd
Cap ^t Chesley	M ^r J. Hall	M ^r J. Goldsborough
M ^r R. Gresham	M ^r Brome	Major Sheredine
M ^r G. Wilson	M ^r Smallwood	M ^r Paca
D ^r Carroll	Capt. Harrison	M ^r Wootton
Major Hall	M ^r W. Wilkinson	Mr O. Sprigg
M ^r Worthington	M ^r Courts	M ^r T. Wilkinson

ffor the Negative

M ^r J. Gresham	Cap ^t Ennalls	M ^r Pemberton
Col. King	Cap ^t Hindman	Cap ^t Wright
M ^r Stoughton	M ^r Lecompte	M ^r T. Hammond
Col. Gale	M ^r George	Cap ^t Purnell
Cap ^t D. Wilson	Col. Colvill	Cap ^t Robins
M ^r Thomas	Cap ^t Gordon	Col. Henry
Major Trippe	Col. Tasker	Cap ^t Selby

Which Address was Indorsed, Read and Assented to, and Signed by Order of the House, by the Honourable Speaker M^r Smith and M^r Robert Lloyd were sent to acquaint his Excellency, this House hath prepared an Address to him, and desires to know when and where he will receive it: They Return and Acquaint M^r Speaker the Governor is now ready to receive it in the Conference Chamber.

Ordered, That M^r Smith, and Twelve more present the Address to the Governor: They return and acquaint M^r Speaker, they Presented the Address.

On Motion of a Member, that the Two Letters containing the Demand of the Six Nations of Indians. referred to in the Address to the Governor, be Inserted in the Journal; Ordered, That they be inserted: The two Letters following thus, viz. (See 28 Md. Arch. Coun., pp. 273 and ff.)

p. 426 On Motion of a Member, that the Instructions be inserted in the Journal; Likewise Ordered, That they be Inserted: which are as follows

September Session 1742. Instructions from the House of Delegates of the Province of Maryland, to Col. Robert King, and D^r Charles Carroll, for treating with the Six Nations of Indians in Conjunction with appointed by the Upper House.

1. You are to enquire, and be well informed, of the Cause of the L. H. J. uneasiness of the Six Nations, with Respect to this province, and the Beginning and Duration thereof.

2. Whether any Treaty of Peace had been made or Renewed, between this Province and those Nations, and when, or with what Branch of them.

3. In what Degree of friendship the Shawan Indians, stand with the said Six Nations, or in what Light they look upon them, whether as Allies, or Tributaries; and what strength, as to number of fighting men, and by what Right they enjoy the Liberty of residing on the Susquehanna River, and how long they have inhabited there, and from whence they came

4. What was the Cause of their coming to Maryland in the Spring, 1742; whether they prompted the Nanticoke, or other Maryland Indians, to a Breach of friendship with the British Inhabitants; to endeavour to find out to what end and at whose Instigation, or whether the said Shawans have any Intercourse with the French, what Distance they are seated from Conastogoe, up the Susquehanna, and what Distance, and on what Course the nearest French Inhabitants are to them.

5. To whom if any, the Nanticoke Indians, or other the Maryland Indians, are Tributaries, what that Tribute is, and how, when, and where paid. p. 427

6. What nation of Indians, lived about Conastogoe, Grise's Creek, and on the Lands opposite to M^r Wrights, on the South or West side of Susquehanna, at any time within these Twenty years, where removed to, and when.

7. Whether they complained of having received any Injury from the people there settled under Maryland Rights, and what the Injury was, or by whom done, or did they ever complain thereof to the Government of Maryland.

8. What Land in particular it is that the Six Nations Claim, how low down the Susquehanna, or Chesapeake Bay or Potomack River, or the Branches thereof, or by what other Marks or Circumstance they may fix their Claim on Maryland, and by what Right they make such Claim.

9. To let them know, that the Inhabitants of Maryland purchased their Lands from the predecessors of the Indians now Inhabiting among them; and also of the Proprietor of the said Province; and have for above these Hundred years lived in Peaceable and Quiet Possession, without any such Demand as is now made by them.

10. To know whether the King of Great Britain doth not keep up a General Peace, in favour of all his Subjects, with the six nations, how lately the same hath been renewed, and by the mediation of which of the Governments.

L. H. J. 11. What Distance the Six Nations are from the French settlements, on what Course, what River, they the said Six Nations respectively, are Settled upon, and what are the Number of fighting Men in each Nation.

12. To enquire what settlements the French have from the Southern Parts of the Lakes of Canada, towards the Branches of the Mississippi, what their number and how far, and on what Course from some remarkable places on Susquehanna and Potomack Rivers, what efforts or strength.

13. To be informed in the best manner how the People of Pennsylvania, or the Proprietor, pay the Indians, for the Lands they purchase of them, and what the Consideration in Proportion to Quantity; likewise the same of the Governments of the Jerseys and New York

14. To let the Six Nations know, in Conjunction with those instructed from his Excellency the Governor of the Upper House, that as Subjects of Great Britain, the people of Maryland desire to live in Amity and friendship with them, and hope they may meet with the like kind Disposition, since they wish to continue as friends and Brethren, and have never to their knowledge given any Cause that might induce them to believe the Contrary; and that to confirm the Truth of the kind Disposition of his Majestys Subjects, the Inhabitants of Maryland, they desire to confirm a sure and lasting friendship with the Six Nations, and all their friendly Indians, and are ready to give and take any Marks or Tokens of the same.

15. If any Articles be entered into with the Six Nations, ye are to desire that one be, that they procure the best Information, what the Cause was, of the Shawan Indians coming to Maryland in the Spring, 1742, and that they Transmit the same to the Speaker of this House for the Time being, by Conrad Weiser, or other means; and what affairs the said Shawans transacted with the Nanticoke, or other Maryland Indians, and what the Issue thereof was to have been, and at whose Instigation.

16. In such Articles, ye are to require that the Cause of the uneasiness and Demands of the said Six Nations be inserted as full and large, as that the same may hereafter appear; and you are to have a Copy of such Articles at Large.

17. Ye are to inform your selves in the best manner, what the Value and the usual presents, which are made on the Conclusion of Provincial friendship, or peace with the said Nations.

18. Ye are to act with Circumspection in this matter, on Behalf of the People of Maryland, that they be not burthened with any unnecessary Charge, or other Demand hereafter; and that in this Negotiation ye do not exceed, above the Value of Three Hundred pounds Sterling.

19. Of all your Proceedings herein, ye are to keep an exact Journal, and the same to Report to the next Session of Assembly of this Province, after your Return. L. H. J.

Signed per Order M Macnemara Cl Lo. Ho.

The House adjourns until the Morrow Morning, at 9 of the Clock.

Thursday Morning, May 31. 1734.

May 31

The House met according to adjournment &c. All appeared as yesterday, except M^r Osborn Sprigg.

M^r Worthington from the Committee of Accounts, delivers M^r Speaker the Journal of Accounts; which was Read and Assented to, and sent to the Upper House by M^r Worthington and Col. Gale.

Col. King delivers M^r Speaker the following Report.

By the Committee appointed to inspect into the Laws, relating to the Militia, of this Province, May 31. 1744

Your Committee having Considered the Laws above mentioned, p. 428 from the time the Government was in the Hands of the Crown to this Day, Report as follows: ffrom the Year 1640 to the year 1715 your Committee find but Little Alteration, save that the last mentioned Act makes some further Provision: ffrom the year 1715 to the year 1732, some further Provision was then made, and chiefly in the Act of 1732; upon which Laws your Committee makes the following Remarks,

1. That Notice given by an officer under the Degree of a Captain, at the Head of his Company, is not available for the Ends proposed by the Law as it now stands; which your Committee Recommends to be done by the Commanding officer

2. That a Summons by any person Capable to make proof thereof, either by leaving a note at the House of the party, or otherwise, Provided such notice be made appear shall be good Evidence to Convict for non-Attendance; which by the Law as it now stands cannot be done

3. That a provision be made to enable the Constable of the Hundred for the Time being, by a Warrant under the Hands of any Two ffeild officers, to compel the Delinquent to Appear, and answer the Complaint of his officer or officers and on hearing and fully Examining into the offence, to give Judgment and Issue Execution, if it be requisite; or otherwise to discharge the party, as shall be most agreeable to the Laws now in fforce, for the better regulating the Militia.

4. That the ffeild-officers be obliged to hold a Court Marshal, at least once in a year, on a Certain Day, at the Court-House of each County.

All which is submitted to the Consideration of the Honourable House.

Signed per Order, Rich^d Burdus Cl. Com.

The House Adjourns until 2 of the Clock in the afternoon

L. H. J.

Post Meridiem

The House met according to Adjournment &c.

The Question was put, Whether the Report of the Committee of Aggrievances, relating to M^r Young and M^r Ridsen Bozman, shall be referred to the Consideration of the next Session of Assembly; or taken now into Consideration?

Resolved, That it be Referred to the Consideration of the next Assembly.

ffor Referring it.

M ^r Waughop	M ^r Lloyd	M ^r Wootton
D ^r Carroll	M ^r Thomas	Capt. Gordon
Maj. Hall	M ^r J. Goldsborough	Col. Tasker
M ^r Worthington	Major Trippe	M ^r Pemberton
M ^r Weems	Capt. Ennalls	Capt ^t Wright
M ^r Courts	Capt. Hindman	M ^r T. Hammond
Col. King	M ^r Lecompte	Capt ^t Purnell
Col. Gale	M ^r George	Capt ^t Robins
Capt ^t D. Wilson	Col. Colvill	Col. Henry
M ^r N. Goldsborough	M ^r Paca	Capt ^t Selby

ffor taking it now into Consideration

M ^r Swann	M ^r J. Gresham	M ^r Smallwood
Capt ^t Chesley	M ^r Smith	Capt. Harrison
M ^r R. Gresham	M ^r J. Hall	M ^r W. Wilkinson
M ^r G. Wilson	M ^r Brome	M ^r T. Wilkinson

Ordered that the Clerk Issue Summons for M^r Ridsen Bozman and M^r Benjamin Young, to attend at the Bar of this House, on the Third Day of the next Session of Assembly, to answer the Complaint Exhibited to the Committee of Aggrievances, by Richard fiddeman and Robert Rolles, in September Session, 1742, and by that Committee Reported to this House.

Resolved and Ordered, That the Honourable Speaker transmit the Address of this House to his most sacred Majesty by the ffirst opportunity, to fferdinando John Paris Esq^r to be presented in the most Suitable Manner.

The House taking into Consideration the Report from the Committee appointed to inspect into the Laws relating to the Militia of this Province, doth not concur therewith.

Philip Thomas Esq^r from the Upper House delivers M^r Speaker, the Bill entituled, An Act continuing part of an Act of Assembly of this Province entituled, An Act for raising and Issuing Money for Maintaining his Majesty's fforces in this Province &c. Indorsed (See page 489)

On considering the Message from the Upper House, of this Day, L. H. J. brought by Philip Thomas Esq^r The Question was put, Whether a Bill shall be brought in to take Bills of Credit out of the Loan office, for further Carrying on the Building of an House for the Governor for the Time being, and replacing the same again by Money arising on Ordinary Licenses; or not? Resolved in the Negative.

ffor the Negative

M ^r Waughop	M ^r Weems	M ^r J. Goldsborough
M ^r Swann	M ^r J. Hall	Capt. Ennalls
Cap ^t Chesley	M ^r Brome	Maj. Sheredine
M ^r R. Gresham	M ^r Smallwood	M ^r Paca
M ^r G. Wilson	Cap ^t Harrison	M ^r Wootton
M ^r J. Gresham	M ^r W. Wilkinson	M ^r Pemberton
Doctor Carroll	M ^r Courts	M ^r T. Wilkinson
Major Hall	M ^r N. Goldsborough	M ^r T. Hammond
M ^r Worthington	M ^r Lloyd	
M ^r Smith	M ^r Thomas	

ffor the Affirmative

Col. King	M ^r Lecompte	Cap ^t Purnell
M ^r Stoughton	M ^r George	Capt. Robins
Col. Gale	Col. Colvill	Col. Henry
Cap ^t D. Wilson	Capt. Gordon	Cap ^t Selby
Major Trippe	Col. Tasker	
Cap ^t Hindman	Capt. Wright	

Ordered, That the Clerk of this Write to the Several Sheriffs and Clerks of this Province, that unless they Comply immediately with the Directions of the Act entituled An Act for raising and Issuing money for maintaining his Majesty's fforces to be raised in this Province, and for transporting them to the Place of Rendezvous in the West Indies, they may expect to have the Law put in fforce against them: And that the Clerk of this House write to the Justices of the Respective County Courts (except Queen-Anne's) to order their several Clerks forthwith to transmit true accounts to the Commissioners of the Paper Currency office, of the Moneys paid to the Taxables of each County, out of the Thirty shillings for each Taxable; and to transmit the Receipts for the same, as is directed by the Paper-Currency Act; and to acquaint the Clerks of the County Courts, to give Notice to the Respective County Courts, that they cause to be returned without Delay, to the Commissioners of the paper-office, such Surplus Money as may be remaining on the said Account.

An Ingrossed Bill entituled, An Act empowering Mary Stokes, Widow, and Executrix of Humphrey Wells Stokes, late of Balti-

L. H. J. more County, Gent. deceased, to sell and dispose of the Lands and Tenements therein mentioned, to be sold for the uses and purposes thereby directed; was Read and Assented to, and sent to the Upper House, with the paper-Bill, by Major Sheredine and M^r Paca.

M^r Smith from the Committee of Elections and Privileges delivers M^r Speaker the following Report: viz:

By the Committee of Elections and Privileges

May 31. 1744

p. 430 Your Committee having Examined the several Writs directed to the Several Sheriffs of Somerset, Charles, and Baltimore Counties, and Inspected the several Indentures (therewith returned) of M^r David Wilson, a member returned to serve in the General Assembly for Somerset County, in the Room of Col. James Martin made sheriff of Worcester County:

M^r John Courts, a Member returned to serve in this General Assembly, for Charles County, in the Room of Major Robert Yeates Deceased:

M^r John Paca, a member returned to serve in this General Assembly for Baltimore County, in the Room of Cap^t Aquila Paca, Deceased

Do find the said members Duly Elected according to the Writs aforesaid.

All which is humbly Submitted to the Consideration of your Honourable House Signed per Order, Tho: Jennings Cl. Com.

The House Adjourns until the Morrow Morning, at 9 of the Clock

June 1

Friday Morning June 1. 1744.

The House met according to Adjournment &c.

M^r Smith delivers M^r Speaker the following Report, viz.

By the Committee for inspecting the Arms, Ammunition, and Accounts relating thereto, June 1. 1744

Your Committee having viewed and inspected the quality and quantity of the Arms and Ammunition of this Province, now in the City of Annapolis, Do find the same as follows, viz.

In the Council Chamber, The Arms and accoutrements remain fix'd as usual, Clean and in good order

In the Room over the Conference Chamber, 128 Muskets with Bayonets, clean and in good order, 46 pair pistols with Holsters, 21 Drums, 3 Cases and a half of Matches.

Under the Conference Chamber, 7 Caggs Ball and Shot, 1 small Barel Swan Shot, about 5 Barrels of Ball 6 Baggs Ditto, a parcel of Bar Lead, about 500 weight.

In the Repository, 65 old muskets, much out of Repair

L. H. J.

In the Powder House, 18 old and 20 New Barrels of Shot; 20 new Half barrels of Gun-Powder; 1 Barrel, and 27 Half Barrels of old powder, very much damaged; a large Box of flints

Your Committee have likewise annexed to this Report, the Armourer's account of Arms and Ammunition Received and Delivered out of the Magazine of the Province of Maryland since last Sessions.

Your Committee Humbly Conceive the Arms delivered to Cap^t Thomas Cresap, Cap^t Ristean, and Charles Ridgley, to be delivered contrary to an Act of Assembly entituled, a Supplementary Act to the Act for the Ordering and regulating the Militia of this Province, for the better Defence and Security thereof, made at a Session of Assembly begun and held at the City of Annapolis on the 13th Day of March, Anno. 1732. All which is humbly submitted to the Consideration of the Honourable House

Signed per Order, Tho: Jennings Cl. Com.

To Arms and Powder brought in to the Magazine since last Sessions of Assembly, Viz.

To 50 Guns and Bayonets returned by Col. Gale. To 45 Ditto returned by Col. Hooper.

Pistols returned; To 25 pair of Pistols and Holsters by Col. Gale. To 50 ditto from Col. Hooper

Swords and Belts returned: To 25 Swords and Belts by Col. Gale. To 50 Ditto from Col. Hooper.

Powder and Ball from on Board the Baltimore: To 20 Half-Barrels of Powder. To 20 Cags of Ball.

1743 febr^y Contra Delivered out:

By 100, of old Guns, 5 pair of pistols and Holsters, 52 Swords and Belts, 2 Halbeads, 2 Drums, 1 Trumpet, 1 Half Barrel of Powder, 100 w^t of Ball. These by his Excellency's order, and Cap^t. Thomas Cresap's Receipt.

Delivered to Cap^t Ristean by his Excellency's Order, 30 Guns and Bayonets, 1 Drum. Col Rigby's Receipt By 10 pair of Pistols and Holsters, 1 Trumpet, By his Excellency's order to Charles Ridgley, as per Receipt. By 1 Drum for Capt. Harwood. Col Sprigg's Receipt, By 2 Drums, 1 Trumpet. By his Excellency's Order, Col John Ward's Receipt

By 4 Half Barrels of powder. His Excellency's Order, for Col. Levin Gale. M^r James Johnson's Receipt By 1 Drum for the County Court, His Excellency's Order. M^r James Monat's Receipt.

May 4th 1744 Richard Tootell, Keeper of the Magazine

On Reading the aforesaid Report, the House concurs therewith

L. H. J. M^r Speaker communicates to the House the following Message
 p. 431 from his Excellency, viz.

Gentlemen,

I think proper to acquaint you, that ffour Hundred and ninety Pounds of the Money allowed by Act of Assembly, for Building the Governor's House, was expended before my Arrival in this Country, which must be Considered as a Deficiency; I cannot help once more recommending to you to provide something for the covering in, and preservation of the Building; which, if not done, will suffer greatly, and be a Loss to the Country. T. Bladen

The following Message was sent to the Upper House by Major Hall, and Cap^t Purnell. (See page 490)

Ordered, That M^r Nicholas Goldsborough, D^r Carroll, and Col. Colvill, prepare An Address in answer to the Governors message of this Day.

The House adjourns until 2 of the Clock in the afternoon.

Post Meridiem

The House met according to Adjournment &c.

M^r Nicholas Goldsborough delivers M^r Speaker an address to the Governor in answer to his Message of this Day; which was Read, approved, and Ordered to be Ingrossed.

Samuel Chamberlain Esq^r from the Upper House, delivers M^r Speaker the following Message. (See page 490)

p. 432 Col. Hammond from the Upper House, delivers M^r Speaker the Bill entituled, An Act, for the Releif of ffrancis O Connor &c. Indorsed; (See page 491)

Which Bill was here Read, and with the amendment proposed, passed for Ingrossing.

James Hollyday Esq^r from the Upper House, delivers M^r Speaker the Bill entituled an Act for Issuing Writs of Replevin, out of the County Courts of this Province; and the Bill entituled, a Supplementary Act to the Act entituled, An Act for the Releif of Debtors &c. Severaly Indorsed.

M^r Goldsborough delivers M^r Speaker, the following Ingrossed Address, Viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland;

The humble Address of the House of Delegates.

May it please your Excellency,

We acknowledge your ffavour in Acquainting this House with the Deficiency before your Arrival, in the Money Allowed by Act of Assembly for Building a Governor's House, and we hope for your good offices in having it communicated to this House in what Manner the said Money was Expended.

And we beg leave to inform your Excellency, that in compliance L. H. J. with your desire, we passed a Bill for raising nine Hundred pounds, for prosecuting the Building aforesaid, in such manner as would best suit the people of this Province; but the said Bill was returned to us by the Upper House with a negative.

Which was Read and assented to, and Signed by order of the House, by the Honourable Speaker.

Ordered, That M^r Lloyd and Major Hall acquaint the Governor, this House hath prepared an Address to him, and desires to know when and where he will receive it, They return and acquaint M^r Speaker the Governor will be ready to receive it presently in the Conference Chamber.

Ordered, That M^r Smith and M^r John Goldsborough present the address to the Governor: They return and acquaint M^r Speaker they presented it.

The Question was put Whether an answer to the Message from the Upper House of this Day by Samuel Chamberlain Esq^r shall be prepared and sent, or not? Resolved in the affirmative.

ffor the Affirmative

M ^r Swann	M ^r J. Hall	Capt. Ennalls
M ^r R. Gresham	M ^r Brome	Capt. Hindman
M ^r J. Gresham	M ^r Smallwood	M ^r Lecompte
D ^r Carroll	Capt. Harrison	Major Sheredine
Major Hall	M ^r W. Wilkinson	M ^r Paca
M ^r Worthington	M ^r Courts	M ^r Wootton
M ^r Smith	M ^r Lloyd	
M ^r Weems	M ^r J. Goldsborough	

ffor the Negative

M ^r Waughop	Major Trippe	M ^r T. Hammond
M ^r Stoughton	M ^r George	Capt. Purnell
Col. Gale	Col. Colvill	Capt. Robins
Capt. D. Wilson	Cap ^t Gordon	Col. Henry
M ^r N. Goldsborough	M ^r Pemberton	Capt. Selby
M ^r Thomas	Capt. Wright	

M^r Speaker communicates to the House the following Message from the Governor Viz.

Gentlemen of the Lower House of Assembly

I am sorry your Address of the 30th of May 1744, gives me occasion to wish, it had been more suitable for you to present, and my self to Receive, and that you, or rather some of you, had not shewed such a willingness to treat in so indecent a manner, a Message Signed and sent by me; and under the pretence of Attributing it to the Advice of others indulge your Selves in making use of a Language no

L. H. J. ways becoming a part of the Legislature and indeed your whole Address is such, as must convince every considerate person, you were sensible of being in the wrong; and therefore you were Resolved to be very angry at being told so; But as that Spirit, which so remarkably Shines through the whole, savours too much of Rancour and violence, to fix an Imputation upon any part of Government whatever, or upon any person in Trust with his Lordship, or me, I shall not follow you in every Paragraph, but only take notice of the few material parts of your Address.

I must put you in mind, the purport of my Message was to shew, not only how improperly, but unwarrantably, you had assumed an Authority of giving Instructions to your members; what I then said was so undeniably true, that you were too sensible, the Evasion used in your first Address “of these Instructions being only private and not Public ones,” must be seen through by a bare perusal of the Intitling and Body of them; therefore you are now drove to another Shift, by pretending, “the Instructions contain not one Article or Matter, which every private person in Maryland, hath not a Right to enquire into, and inform themselves of &c.” which assertion, if any thing to the purpose, must mean, that because every person has a right to enquire and inform themselves of &c. therefore every person has a Right to give instructions to my Commissioners for their Conduct; and that Consequently the Lower House must have at least as good a Right to give such Instructions: Thus your reasoning would stand; but it is too weak to impose on any person, since we are not disputing, whether you or any private person may not endeavour to inform your selves &c. but whether you, or any private person have Authority to direct the Commissioners how to Act; and it is beyond contradiction, that your Instructions are such directions.

You urge, that the Present Treaty with the Indians, cannot be said to be, either of Peace or War; and your Reasons are, because there is no precedent Rupture, and that their Demand is to be paid for Land: As to the first, the Indians, (I am informed) frequently insist on a peace to be made or renewed, altho’ no formal Rupture, or Acts of Hostility subsist, merely for the sake of presents; and my Advices from the Northward are, That the Indians Expect at this Time more considerable presents, on account of the Treaty of peace, than for the Lands; as they are very sensible, their friendship is of much greater Consequence, at this Critical and dangerous juncture, than at any other Time, As to their Claim to the Lands, I am persuaded, if you looked on this Matter in the Proper Light, your Duty and Allegiance to our Sovereign would have Restrained you from considering it as a Private Right, or giving any Treaty relating to it, the low Denomination of a Bargaine and Sale. The Title to all the Lands in this Province, is held originally, and founded on a Right from the Crown; The Indians Demand in a peremptory manner to

be paid for Certain Lands; who is this Demand against? It cannot L. H. J. be against the Lord Proprietary, for all the Lands in this province have been granted him by the Crown; therefore to allow that any thing is due to the Indians from the proprietary, is declaring, the Crown granted what it had no Right to: shall we that possess so much make a Concession of this kind against the Right and Dignity of the Crown of England? what then follows? The Indians Declare, if the money is not Paid they shall do themselves Justice; is not this a Menace against the Peace and safety of the Province? and whose Duty it is to protect the Country against the Threats and Insults of an Enemy, Common sense will inform you; Surely the people themselves are to do it,

But to put this matter in another Light, I am confident, you or any other Loyal Subject will never insinuate, the Indians have the least pretence of Right, in Bar of prejudice to his Majesty's, or that his Lordship holds the Lands under a Defective Title; in which Case only, he could be obliged to warrant them; for I beleive it was never before imagined, a Vendor of Land was to protest or Indemnify the purchaser against a superior force or Violence; tho' he may be under an obligation to do it against a Superior Right: And therefore, since the Indians have no Right, they can be considered no otherwise than as French, Spaniards, or other Enemies would be, in Case they should make Incursions into, and Attack this province: I hope you would not set up these Distinctions, when Called on to assist, either by Men or Money, to prevent or oppose any Attempt to disturb this Province, in Derogation of the King's Title; and I am at a loss to know, why the Country should not be as much obliged to provide Money for the Support of his Majesty's Right and Dominion by a Treaty of Peace, as by force of Arms,

It is upon the presumption of these Loyal Principles which you so p. 434 largely profess on every occasion, that I am thoroughly assured of your being convinced of the necessity of making good any Sum, that shall be Stipulated to be paid to the Indians, tho' it should exceed the 300^l Sterling mentioned in your Address of the last Session; and you may depend on my Care in directing the Commissioners, on those two necessary points in your Address; That they should use all imaginable endeavours to prevent the Indians from insisting on a greater sum than the people can well Spare; and also, to avert the Consequences which you so justly apprehend from their Resentment; if they should be disappointed.

As to what you mention of allowing the Commissioners their necessary Travelling Charges only, I am concerned your warmth has transported you into this unnecessary Declaration; since it may give Suspicion, you designed by the scantiness and meanness of the allowance, to discourage a Treaty, and that you rather wished a War than a Peace with the Indians; but as your former Address not only

L. H. J. allows a further sum, without Limitation, for the Expences and Charges of the said Commissioners, but Specifies the ffund out of which it is to be paid, you must excuse me, if I think this Counter Declaration cannot restrain or limit what was intended by your fformer Address: I may safely appeal to all the sensible and unprejudiced part of Mankind, whether your attempting (as you do by your Address) to put those, who shall be empowered to treat with the Indians, under Difficulties; and your Backwardness in furnishing the Country with the Means of it's necessary Defence, can be reconciled to the great professions you make of your Loyalty to his Majesty, and Regard to the preservation of the people you represent.

I shall (as in my former Message) appoint such Commissioners, as I am confident will conform to my Directions only; and notwithstanding what you say, you are obliged to tell me to the Contrary, I make not the least Doubt, but they will conclude their Negotiation, not only with Honour to themselves, but, as far as depends on them, with advantage to the province.

T. Bladen.

George Plater Esq^r from the Upper House, delivers M^r Speaker the following Paper-Bills, viz. An Act appointing Commissioners for dividing St Mary's County into ffour distinct parishes &c, An Act empowering Mary Stokes, widow and Executrix of Humphrey Wells Stokes &c, An Act to enable Certain Commissioners therein named, to lay out fforty Acres of Land into Eighty Lots &c, An Act to enable the Rector Vestrymen and Church-wardens of S^t James's Parish &c. A Supplementary Act to the Act entituled, An Act for Laying out and erecting a Town at a place Called Long Point &c. An Act for punishment of Horse Stealers &c. An Act continuing an Act of Assembly of this province entituled, a Supplementary Act to the Act entituled, An Act for the more effectual punishment of Negroes and other Slaves &c, An Act to Remedy some defects in an Indenture of Bargain and Sale &c, An Act for laying out the Town a-new commonly called Upper Marlborough Town &c. An Act empowering the Vestry-men &c. of King George's Parish &c. An Act for Building a prison in Worcester County; An Act continuing An Act of Assembly of this Province, entituled, An Act for the more effectual punishment of Certain offenders &c. A Supplementary Act to an Act entituled, An Act for laying out and erecting a Town &c. near a place Called the Garrison Landing; An Act Reviving An Act entituled, An Act for the Benefit of the poor &c. An Act to enable Samuel Wilson, Executor of Margaret Lindow, to Convey certain Lands &c. An Act empowering the Justices of Prince Georges County, to Levy on Queen Anne's Parish 200^l &c. An Act to encourage the Destroying Bears in Worcester County; An Act continuing An Act entituled, a Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes &c; An Act to enable Richard Dorsey of Anne Arundell County Gentleman to sell and

dispose of 49 acres of Land &c. An Act empowering the Justices of L. H. J. Prince George's County to Levy on the Taxable Inhabitants of King George's Parish 250^t &c. An Act for dividing St. Stephens alias North Sassafras parish &c, An Act continuing An Act to prevent the Injuring of Harbours &c. An Act for dividing All Hallows Parish in Worcester County &c. An Act for Reviving and continuing An Act of Assembly of this Province entituled, An Act ascertaining the Gauge and Tare of Tobacco Hogsheads &c. An Act to prevent cutting up Tobacco Plants &c, An Act for the Speedy and effectual publication of the Laws &c, An Act for making a Chapel already erected in Prince George's Parish &c. A Chapel of Ease; and an Act for the naturalization of James Richard &c. Which Bills were Severally Indorsed, By the Upper House of Assembly, "the Ingrossed Bill, whereof this is the original, is Read and Assented to."

Edmund Jenings Esq^r from the Upper House, delivers M^r Speaker the Journal of Accounts, and the following Message. (See page 492)

Col. Lloyd from the Upper House, delivers M^r Speaker the following Message, Viz. (See page 493) p. 435

The following Message Viz. (See page 493)

Sent to the Upper House by Cap^t Harrison and Capt. Robins. p. 436

The House Adjourns until the Morrow Morning, at 9 of the Clock.

Saturday Morning June 2. 1744.

June 2

The House met according to Adjournment &c. All appeared as yesterday except Cap^t Chesley.

An Ingrossed Bill entituled, An Act for the Relief of Francis O'Connor &c was Read and Assented to, and sent to the Upper House, with the Paper Bill, by Major Sheredine and M^r Selby.

M^r Worthington from the Committee of Accounts delivers the following Report, Viz. (See page 495)

The following Message was prepared, viz. (See page 494)

The following Message, Viz. (See page 494) p. 437

And the Journal of Accounts, were sent to the Upper House by M^r Worthington and Col. Gale.

The House proceeded to Tax Charges on the following Private Bills viz. On the Bill entituled,

An Act to enable Richard Dorsey, of Anne Arundel County, Gentleman, to sell and Dispose of forty nine Acres of Land, part of the Estate of Mary Woodward and Elizabeth Woodward Infants.

To the Honourable Speaker £1..10..0

To the Clerk 0..15..0

L. H. J. An Act for the Naturalization of James Richard of Baltimore County

To the Honourable Speaker £21..0..0

To the Clerk 2..0..0

An Act empowering Mary Stokes, Widow and Executrix of Humphry Wells Stokes, late of Baltimore County, Gentleman Deceased, to sell and Dispose of the Lands and Tenements therein mentioned, to be sold for the uses and purposes thereby directed.

To the Honourable Speaker £2..0..0

To the Clerk 1..0..0

An Act to enable Samuel Wilson, Executor of Margaret Lindow, to Convey Certain Lands to David Wilson

To the Honourable Speaker £1.. 0..0

To the Clerk 0..10..0

An Act to Remedy some Defects in an Indenture of Bargain and Sale made and Executed by Michael Curtis and Sarah his wife, late of S^t Mary's County Deceased, and Charles Carroll Esq^r late of the City of Annapolis Deceased.

To the Honourable Speaker £8..0..0

To the Clerk 4..0..0

M^r Speaker communicated to the House the following Message from the Governor, Viz.

Gentlemen,

That you may be left without any Excuse, for want of Proper Admonition, to provide for the Defence of your Country, in this Critical and Dangerous Juncture, I think proper to lay before you a paragraph of a Letter from M^r John Galloway, dated the 28th of last Month, from Philadelphia in his own Words.

“The Assembly of this Province, hath at this critical time, thought proper to petition the Governor, to attend the Treaty with a present of 300^l to be laid out in Goods, in hopes thereby to improve the good understanding that has always subsisted between this province and the Indians, and prevent the French taking them off; which there is no doubt made here, but they will attempt to do,”

As I am in hopes that the Example of a neighbouring Colony, who from their Principles of Religion, have long persisted in refusing to Provide for the Defence of their Country, and are now so thoroughly convinced of their Danger, that they appear to be actuated by the Principles of Self-preservation, may have some effect on you; but whether the Representatives of the People of Maryland will Act upon the same Principles, or rather Chuse to distinguish themselves from all the neighbouring Colonies, and indeed the rest of Mankind, by neglecting the necessary means of their own Safety, I leave for the last time to your Judgment and Consciences.

T. Bladen

On Consideration of the foregoing Message.

L. H. J.

Resolved, That the same Contains, oblique and unkind Reflections on the Conduct of this House; Whereas for their own and safety of their Constituents, they gave the last Sessions of Assembly, the sum of 300^l Sterling for a present to the Six Nations of Indians, which by the Treasurers Accounts appears to have been Issued for that purpose. And also sent a Bill this Session, laying a Duty of 4^l per Hogshead on Tobacco, for the purchase of Arms and Ammunition for the Defence of this Province, which Bill was Refused by the Upper House

M^r Smith delivers M^r Speaker the following Report, Viz.

By the Committee appointed to inspect the Arms, Ammunition and Accounts &c. June 1. 1744

Your Committee having Examined and inspected the several Treasurers Accounts, of the 3^d Sterling per Hogshead, do find the same as follows, Viz.

D^r The publick Stock on the Western Shore of Maryland, on the Duty of 3^d Sterling per Hogshead on Tobacco exported, ending 1740, for purchasing of Arms.

1742 November. To the Governor Thomas Bladen Esq^r and Council's order, paid Richard Tootell Armourer in Sterling.

£40.. 0.. 0

To Ditto paid to Ditto, as per Ditto

5.. 15.. 1

1743, March 10. To the Governor and Council's Order, paid Patrick Creagh, for Building the Brick Magazine, and for 60 feet Square of Ground

95.. 0.. 0

May 4. To the Governor and Council's order to Col. Levin Gale, paid to Benjamin Tasker Esq^r by Col. Gale's Indorsement

104.. 10.. 11

July 4. To Ditto paid to Col. Gale

100.. 0.. 0

To Charges from M^r Hyde, for Receiving Bills, and postage of Letters

1.. 1.. 0

To Charges paid on Insurance, on 120^l as per Account

12.. 3.. 0

August. To Goods sent by the Baltimore, as per Invoice

59.. 19.. 6

£418.. 9.. 6

Cred.

1742 By Ballance due on my Last account passed by the General Assembly, in September 1742

£404.. 10.. 0

Ballance due to Charles Hammond, Treasurer

13.. 19.. 6

£418.. 9.. 6

D^r The Publick Stock on the Eastern Shore of Maryland, for the Duty of 3^l Sterling per Hogshead, on Tobacco exported Annis 1742 and 1743, for purchasing Arms and Ammunition.

L. H. J. 1743 July 12. To my Salary on	at 2 and a half per Cent.	
To Cash paid Col. Levin Gale, by order of the Governor and Council, being Paid by an Order on William Hunt of London, as appears by the said Order, and Receipt dated as in the Margin		£150.. 0..0
Ballance due on this Stock		77..15..8..3
		<hr/>
		227..15..8..3

Cred.

By Ballance due on my last Account past with the General Assembly, October 1742		£227..15..8..3
No Duty Collected, the Act by which it was Collected, being expired		<hr/>
		227..15..8..3

N. B. The above Article 5^l 15^s 1^d paid Richard Tootell, is for a Door to the Magazine, and for mending one Hundred Guns; as the said Tootell informs your Committee.

Also the above Article, of Goods sent by the Baltimore, as per Invoice, amounting to 59^l 19^s 6^d was for 20 Half Barrells of Gun Powder and 20 Cags of Ball.

Your Committee having likewise inspected the last Report made to your Honourable House, bearing Date the 25th of October 1742, do find by the said Report and the Treasurers Accounts the following Balances; Viz.

In the Hands of Samuel Hyde and Company, remitted by Samuel Young Esq ^r late Treasurer of the Western Shore.		736.. 6..4
In the said Young's Executors Hands 34 ^l ..13 ^s ..7 ^d		
39 Gold		0..18..3
In the Hands of Samuel Hyde, remitted by Robert Ungle Esq ^r late Treasurer of the Eastern Shore, the Sum of		334.. 8..8..2
In the Hands of said Hyde, the Balance of 525 ^l ..6 ^s ..10 ^d Sterling, paid the Honourable Samuel Ogle Esq ^r to purchase Arms &c.		157..18..8..0
In the Hands of James Hollyday Esq ^r as per Account on the other side		77..15..8..3
		<hr/>
		£1307.. 7..8..1

p. 439 Your Committee also find, by Col. Charles Hammond's account, on the other side a Balance of 13^l..19^s..6. Sterling due to the said Hammond, as Treasurer of the Western Shore, which deducted from the above several Balances, the neat Balance then remaining will be, 34^l..13^s..7^d.

39 Gold, and	£1293..8..21
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Your Committee have also annexed to this Report, the Several L. H. J. Orders and Receipts, mentioned in the foregoing Report as may appear. All which is humbly submitted to the Consideration of the Honourable House Signed per Order Tho: Jennings Cl. Com.

Present in Council, March 17. 1742

The Governor

The Hon. Benjamin Tasker Esq ^r	The Hon. Col. Levin Gale
Edmund Jenings Esq ^r	Philip Thomas Esq ^r
Col. Charles Hammond	Daniel Dulany Esq ^r

By the Governor and Council March 17. 1742

(28 Md. Arch., Coun. 297)

Ordered, That the Honourable Col. Charles Hammond, Treasurer of the Western Shore, pay to the Honourable Levin Gale Esq^r or order, out of the Duty of 3^d per Hogshead, for Arms and Ammunition, the Sum of one Hundred and ffour pounds, Ten Shillings and Eleven pence, Sterling; being so much laid out by him, in the Purchase of Sundry Goods at Philadelphia, as presents for the Indians; and Money advanced by him to Conrad Weiser, the Indian Interpreter &c. as per Account Appears. J Ross Cl. Cou.

Pay the Contents to M^r Benjamin Tasker, or Order.

Levin Gale

To Col. Hammond, Treasurer of the Western Shore

Received of Col. Hammond, Bills of Exchange, for the within Sum B. Tasker

May 4th 1743.

Present in Council, [July] 1. 1743.

The Governor,

The Hon. Benjamin Tasker Esq ^r	The Hon. Col. Levin Gale
Edmund Jenings Esq ^r	Daniel Dulany Esq ^r

At a Council held in the Council Chamber, on the ffirst Day of [July], Anno Domini 1743.

Present his Excellency the Governor in Council.

(28 Md. Arch., Coun. 305)

Ordered, That the Treasurer of the Western or Eastern Shore, or either of them, draw an Order or Orders on the Merchants in London, in whose Hands the Duty of 3^l Sterling per Hogshead, for Arms, is lodged by them, payable to the Honourable Levin Gale Esq^r or Order, out of the said Duty, for the Sum of Two Hundred and ffifty pounds, Sterling, to purchase such Goods in England, as shall be thought Requisite by him the said Gale, in Order to be presented to the Indians at the intended Treaty betwixt them and the Commissioners appointed on behalf of this Province. J. Ross, Cl. Cou.

July 4. 1743 Received of Charles Hammond Treasurer of the Western Shore, Orders on M^r Samuel Hyde, Merchant in London, for one Hundred Pounds sterling by Virtue of the above Order

Levin Gale

L. H. J. Received from the Honourable James Hollyday Esq^r Treasurer of the Eastern Shore, an Order upon M^r William Hunt, Merchant in London, for one Hundred and fifty pounds Sterling in virtue of the within Order
Levin Gale.

July 12. 1743

On Considering the foregoing Report, the Question was put, Whether there should be any Resolve made thereon this Session or not? Resolved in the Affirmative.

The Question was put Whether the following shall be made Resolve, Viz. This House have Resolved, and it is therefore Resolved, That the Sum of fifty ffour Pounds, Ten Shillings, and Eleven pence, therein mentioned, Paid to Levin Gale Esq^r above the Sum of Three Hundred pounds, not being for Arms or Ammunition, or paid by any Law of this province, is contrary to the Address of this House to his Excellency the Governor, the last Session of Assembly; dated October 29. 1742. Resolved in the affirmative.

ffor the Affirmative

p. 440 M ^r Waughop	M ^r G. Wilson	M ^r Worthington
M ^r Swann	M ^r J. Gresham	M ^r Smith
M ^r R. Gresham	D ^r Carroll	M ^r Paca
M ^r Weems	M ^r Thomas	M ^r Wootton
M ^r J. Hall	M ^r Courts	M ^r Pemberton
M ^r Brome	M ^r Lloyd	Capt. Wright
M ^r Smallwood	Capt. Ennalls	M ^r T. Wilkinson
Capt. Harrison	Major Sheredine	
M ^r W. Wilkinson	Major Hall	

for the Negative

Col. King	Major Trippe	Capt. Robins
M ^r Stoughton	M ^r Lecompte	Col. Henry
Col. Gale	M ^r George	Capt. Selby
Capt. D. Wilson	Col. Colvill	
M ^r N. Goldsborough	Col. Tasker	

The House adjourns until Monday Morning at 9 of the Clock

June 4

Monday Morning June 4. 1744

The House met according to adjournment &c. All present Except Capt. Hindman, M^r John Goldsborough, and Capt. Purnell. M^r Philip Hammond appeared in the House.

The Message prepared on Saturday, and a Copy of the Report from the Committee of Accounts, were sent this Day by M^r Worthington and Major Sheredine.

Daniel Dulany Esq^r from the Upper House, delivers M^r Speaker L. H. J. the following Message (See page 496)

Resolved and Ordered, That the Honourable the Speaker, M^r James Calder, M^r Philip Hammond, Doctor Charles Carroll, M^r Henry Hall, M^r Thomas Worthington, M^r John Magruder, Mr. Turnor Wootton, and M^r Osborn Sprigg, or any Three of them, receive and keep for the next Assembly of this Province, any papers or Letters which shall come from Ferdinando John Paris Esq^r relating to, or concerning the Addresses of this House, that have been transmitted, and Ordered to be presented to his most sacred Majesty, and the Right Honourable the Lord Proprietary; and therein Transact every thing proper and necessary, for bringing the same Addresses to a Speedy Conclusion, and make Report of what shall be therein transacted or done, to the same next Assembly

The House Adjourns until 2 of the Clock in the Afternoon

Post Meridiem

The House met according to Adjournment &c.

The House taking into Consideration the Report of the Gentlemen appointed to procure Copies of Records, and other papers and Evidences necessary for Carrying on the Addresses to the Kings most Excellent Majesty, and the Right Honourable the Lord Proprietary concerning the Aggrievances complained of in the several Resolves of this House, in May Session 1739.

Ordered, That the Committee of Laws prepare an Address to his Excellency the Governor thereon.

Col Lloyd from the Upper House, delivers M^r Speaker the Bill entituled, An Act for the Tryal of all Matters of ffact, in the Several Counties where they have Arisen, or shall arise, Indorsed, (See page 496)

Philip Thomas Esq^r from the Upper House, delivers M^r Speaker the Journal of Accounts, Indorsed, (See page 496)

M^r Philip Hammond brings in An Address to the Governor, which was Read approved, and Ordered to be Ingrossed

Col Hammond from the Upper House, delivers M^r Speaker the paper Bill entituled, An Act for the Releif of ffrancis O'Connor &c. Indorsed. (See page 494)

M^r Philip Hammond brings in the following Ingrossed Address, p. 441
Viz.

To his Excellency Thomas Bladen Esq^r Governor of Maryland:

The Humble Address of the House of Delegates.

May it please Your Excellency,

At the Close of the last Session of Assembly, this House addressed your Excellency that you would be pleased to Order the several

- L. H. J. Naval Officers to make Copies of the Orders by which they Receive the sum of ffourteen pence per Ton on all Shipping Trading into this Province, except owned therein, as also the Sum of Twelve Pence Sterling p Hogshead on all Tobacco exported out of the same, and the Amount of the same Sums Respectively for Two years then last past, proved and Authenticated to the Honourable Speaker, M^r James Calder, M^r Philip Hammond, D^r Charles Carroll, M^r Henry Hall, M^r Thomas Worthington, M^r John Magruder, M^r Turnor Wootton, and M^r Osborn Sprigg, or any Two or Three of them applying for the same; but on a Report made by the said Gentlemen this Sessions, we find that they were not able to procure the Amount of the said Sums as therein requested, your Excellency Referring to the Reasons in your Answer to the Address of the Lower House, which we apprehend were, that as the Quantum was not the thing in Dispute, so you did not see how the amount thereof could determine the Rights thereof.

The Amount of the Twelve pence per Hogshead, and the sum for Tonnage, are what the Council for the Country directs, and the Agent writes for, and are what we think essentially necessary for the Country's Service, and therefore humbly entreat your Excellency again (notwithstanding that the use or service thereof may be to you unknown) that you'll Order the said several Offices within this province, to deliver to the Honourable Speaker, M^r James Calder, M^r Philip Hammond, Doctor Charles Carroll, M^r Henry Hall, M^r Thomas Worthington, M^r John Magruder, M^r Turnor Wootton, and M^r Osborn Sprigg, or any Two or Three of them, distinct and particular Accounts of the Amounts of the said ffourteen pence Sterling per Ton on all Shipping or Vessels Trading into this Province, and not owned therein; as also of the said Twelve pence Sterling per Hogshead on all Tobaccos Exported out of this Province for Two years then last past preceeding the said Sessions of Assembly, proved on their Corporal Oaths before proper Magistrates, and the same Authenticated by your Excellency under the Great Seal, in such manner as to enable us to Carry before his Lordship, or in Case of need, before his Sacred Majesty in Council, the Address of this House, complaining of Sundry Aggrievances in the said Address mentioned.

Which was Read and assented to, and Signed by Order of the House, by the Honourable Speaker.

Ordered, That M^r Lloyd and M^r R. Gresham acquaint the Governor, this House hath prepared An Address to him, and desires to know when and where he will Receive it; They return and acquaint M^r Speaker the Governor was ready to receive it in the Conference Chamber.

Ordered, That William Stoughton Esq^r and M^r Wootton present the Address; They return and acquaint M^r Speaker they presented it.

M^r Worthington delivers M^r Speaker the following Report; L. H. J.
(See page 497)

On Reading the aforesaid Report, the House Concurs therewith.

Ordered, That the Clerk of this House give Notice to the Commissioners for emitting Bills of Credit, to write to the Trustees in London, and to the several persons mentioned in the aforegoing Report to Comply on their Respective parts, with what is required of them in the said Report. p. 442

The Business of this Session being concluded, Ordered, That Col. King and Major Hall acquaint his Excellency that no public Business lies before this House for Consideration.

Col. Hammond from the Upper House Acquaints M^r Speaker, the Governor Requires the Attendance of the Lower House in the Council Chamber.

M^r Speaker left the Chair, and attended by the several Members of this House, went to the Council Chamber, where his Excellency passed the several following Ingrossed Bills into Laws, in the usual Manner, by Sealing them, with the Right Honourable the Lord Proprietor's Great Seal at Arms, and Indorsing them thus; On behalf of the Lord Proprietary of this Province, I will this be a Law.
(See page 499)

The Governor made the following Speech, Viz. (See page 501) p. 443

M^r Speaker and the Rest of the Members returned: The Governor's Speech was Read. p. 444

So endeth this second Session of Assembly, this 4th Day of June, in the Thirtieth year of the Dominion of the Right Honourable Charles, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore &c. And in the Year of Our Lord God 1744 Test M Macnemara Cl. Lo. Ho.

ACTS

Session Laws p. 3 Chapter I. Preamble. An Act to encourage the destroying of Bears in *Worcester* County.

Forasmuch as it is represented to this General Assembly, by the Inhabitants of *Worcester* County, that the said County is much infested with Bears:

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That every Person who shall bring to any Justice of the Peace of *Worcester* County, the Head of a Bear that was killed in the said County, shall be allowed in the Levy of the said County One Hundred Pounds of Tobacco; which said Sum of One Hundred Pounds of Tobacco, for each Bear that shall be so killed, the Justices of the said County are hereby required and empowered to levy upon the taxable Inhabitants of the said County, to be paid in the same Manner as the Public and County Levies now are: And to prevent a double Allowance for one Bear, the Justice before whom such Bear's Head shall be brought, is hereby required to cause the Ears thereof to be cut off, and it's Tongue to be cut out, and to give a Certificate thereof to the Party producing the said Head.

Provided always, That it shall not be lawful for any of the Justices of the County aforesaid, to give any Certificate for any Bear's Head (other than what shall be killed by an *Indian*), before the Party producing the same shall make Oath (or Affirmation, if a Quaker) that the Bear for which the Certificate is desired, was killed in the County aforesaid, after the making this Act; nor to give a Certificate for the Head of any Bear killed by an *Indian*, unless the said Head be brought to him whole and entire, and that it appear to be green and fresh killed; any Thing herein contained to the contrary notwithstanding.

Chapter II. An Act for making a Chapel already erected in *Prince George's* Parish, in *Prince George's* County, a Chapel of Ease.

Preamble. Whereas, diverse Inhabitants of *Prince George's* Parish, in *Prince George's* County, have by their Petition to this General Assembly set forth, That they have been at great Charge in building a Chapel, which is more convenient to the Majority of the Parishioners than the Parish Church, and that the said Chapel will go to Decay if not prevented; and have humbly prayed, that an Act may pass, for making the said Chapel a Chapel of Ease to the said Parish.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after this present Session of Assembly, the aforesaid Chapel shall be constituted, deemed, and taken as a Chapel of Ease to the said Parish; and that all Tobacco or Money hereafter to be levied by Virtue of any Act or Acts of Assembly of this Province, on Application to the Justices of the said County, made by the Vestry and Church-Wardens of the said Parish, shall be applied as well for the repairing of the said Chapel, as the Parish Church in the said Parish, in such Manner and Proportion, as to the Vestry-men and Church-Wardens of the said Parish, for the Time being, shall seem most just and reasonable.

Session
Laws
This Chapel
to be
deemed
a Chapel of
Ease.

p. 4

An Act for dividing *St. Stephen's*, alias *North Sassafra*s Parish, in *Cæcil* County. Chapter III.

Whereas, it is represented to this present General Assembly, by the Petition of many of the Parishioners of *St. Stephen's*, alias *North Sassafra*s Parish, in *Cæcil* County, that the said Parish is of great Extent, and so divided by *Bohemia* River running almost through the Middle thereof, as renders it highly impracticable to be served as it ought to be by one Minister, by reason of the frequent Difficulties in passing the said River; that the Number of Taxables in the said Parish are annually increasing, consisting at present of Fourteen Hundred and Four Taxables, the Forty *per* Poll whereof, amounting to Fifty-six Thousand one Hundred and Sixty Pounds of Tobacco, besides Perquisites, and a well improved Glebe consisting of Three Hundred Acres of good Land: Therefore the said Petitioners humbly prayed, that the said Parish might be divided, and Part thereof erected into a new Parish, so as not to affect the Interest of the present Incumbent, the Rev. Mr. *Hugh Jones*, but that he continue to serve both the said Parishes as he hath hitherto done, and receive the Forty *per* Poll of both Divisions as he hath used to do, until his Death, or Removal from *St. Stephen's* Parish aforesaid.

Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session, All that part of *St. Stephen's*, alias *North Sassafra*s Parish, in *Cæcil* County, lying within the Bounds herein expressed and mentioned, beginning at a certain Place called *Town-Point*, situated between *Elk* and *Bohemia* Rivers, and from thence to run up *Bohemia* River to *Middle-Neck Point*, from thence up *Augustine* Creek, alias *Little Bohemia*, to *Campbell's* Branch, including all *Middle Neck*, and the Plantation of *Charles Scot*, and to the *Cross Paths*, and

Boundaries
of the Two
Parishes.

Session from the *Cross Paths*, by a Line drawn East to the exterior Bounds
 Laws of the old Parish, and from thence by such Metes and Bounds as shall take in all that Part of *St. Stephen's* Parish, which lies to the Northward and Westward of the before Lines, so far as *St. Stephen's* Parish extended to *Elk* River, and then by *Elk* River to the Beginning at *Town-Point* aforesaid; shall be taken from *St. Stephen's* Parish aforesaid, and be erected into a new Parish, and called by the Name of *Augustine* Parish, and shall, from and after the Time aforesaid, by Virtue of this Act, be deemed, reputed adjudged, and taken for *Augustine* Parish, and not as Part or Parcel
 p. 5 of *St. Stephen's* Parish aforesaid; and that the Boundaries aforesaid shall always be deemed, taken, and reputed as the undoubted Boundaries to divide the Parish aforesaid, and that the Inhabitants of *Augustine* Parish aforesaid shall have and enjoy all Benefits, Privileges, Powers, and Authorities, in every Respect, equal with any Inhabitants of any other Parish within this Province, heretofore had, or hereafter may have.

The Chapel on *Bohemia* Manor to be deemed the Parish-Church of *Augustine's* Parish. *And be it further Enacted by the Authority aforesaid*, That the Chapel lately built on *Bohemia* Manor, lying within *Augustine* Parish aforesaid, shall be reputed, taken, and deemed as the Parish Church for *Augustine* Parish aforesaid, any Law, Statute, Usage, or Custom, to the contrary notwithstanding: And that the Freeholders of the last mentioned Parish, at a certain Day to be by them appointed, shall have full and ample Power to elect and make choice of Six select Vestrymen and Two Church-Wardens, and the same to alter and renew at such Times and in such Manner as the Laws of this Province do direct.

The present Incumbent to officiate in both Parishes. *And be it further Enacted and Declared, by the Authority aforesaid*, That it shall and may be lawful for the Rev. *Hugh Jones*, present Incumbent of *St. Stephen's* Parish aforesaid, to continue to officiate and serve as Incumbent in both the said Parishes, so divided as aforesaid, and to receive the Forty *per* Poll from both the said Divisions or Parishes, in the same Manner he now doth, and hath hitherto done before this Division, during his Life, or so long as he shall continue Incumbent of *St. Stephen's* Parish aforesaid, or until he shall find Cause voluntarily to quit one or other of the said Divisions, as if this Law had never been made; any Law, Statute, Usage, Custom, or any Thing herein before contained, to the contrary notwithstanding.

Chapter IV.
 Allowance
 to *Jonas*
Green for
 Printing
 the Laws,
 &c.

[Continued
 by 1745
 Ch. I, and
 1747 Ch. 7]

An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of *Jonas Green* of the City of *Annapolis*, Printer.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of

the same, That the Justices of the several and respective County Courts of this Province, shall be and are hereby impowered and directed, to make an Allowance of Fifteen Pounds Current Money of this Province to the said *Jonas Green*, in the Levy to be laid for each respective County Court after this present Session of Assembly, and that the said Fifteen Pounds (with the Sheriff's Commission for Collecting the same) so to be Allowed and Assessed as aforesaid, shall be Collected by the Sheriff of each respective County, and yearly Paid by him, free from all Charges of Collection, to the said *Jonas Green*, or his Order, for the Printing, Stitching, and Delivering, a Copy of the Publick Laws, Speeches and Answers made this present Session of Assembly, and every other Session or Sessions of Assembly, which shall Yearly happen during the continuance of this Act, to the Governour, and every Member of the Upper and Lower Houses of Assembly, and of the Laws only to every Justice of the Peace for the Time being, and a Copy of such Laws, bound up in Leather, to each House of Assembly, the high Court of Appeals, the Provincial Court, and to each County Court, of this Province, which Laws the said *Jonas Green* shall, and is hereby obliged and required to Deliver, or cause to be Delivered, to the Clerks of the Upper and Lower Houses of Assembly, and to the Clerks of the respective Courts aforesaid, within Four Months after the End of every Session of Assembly during the Time mentioned in this Act, and the Clerk of each respective County Court within this Province, is hereby obliged and required to deliver such Laws to the respective Persons to whom they belong, when demanded.

Session
Laws

To whom,
and in what
Manner the
Laws are to
be delivered.
p. 6

And be it further Enacted by the Authority aforesaid, That the Justices of each County Court in this Province, during the continuance of this Act, be, and are hereby impowered and directed, at every Time of laying the Levy in each respective County, after the End of this present Session of Assembly, to allow the Sum of Fifteen Pounds Current Money Annually to the said *Jonas Green*, or his Order, for the Purposes aforesaid, which Justices are hereby impowered to Levy upon the Inhabitants of the several Counties, with the Sheriff's Salary for Collection thereof.

The Justices
of each
County to
Assess the
Printer's
Allowance.

Provided always, That the said *Jonas Green* shall actually reside at *Annapolis*, during the continuance of this Act, and comply with the Terms thereof on his Part, and that upon the Death of the said *Jonas Green*, or his Removal from *Annapolis*, or ceasing to comply with the Terms of this Act on his Part, that the Payment of the Sums of Money, directed by this Act to be Paid to him, shall cease, any thing contained in this Act to the contrary notwithstanding.

Proviso.

And be it further Enacted by the Authority aforesaid, That the Copy of the Public Laws made this present Session of Assembly, as well as those made at any future Session, during the continuance of this Act, shall have Marginal Notes made and printed thereto, as also the date of the Year wherein such Laws were respectively made,

Printer to
make margi-
nal Notes,
&c.

Session Laws inserted in each Page, and a List of such Laws made at the End of each Session, with the Folio where they are Printed; all which the said *Jonas Green* is hereby Required and Obligated to do, as well as all other Services herein before mentioned, for the Yearly Salary aforesaid.

Allowance to be made, tho' no Session. *And be it further Enacted by the Authority aforesaid, That although it may so happen that in any Year during the continuance of this Act, there should not be any Session of Assembly held within this Province, whereby the said Jonas Green may be enabled to print Laws, and deliver them within such Year, that then and in such case, the said Justices of each respective County shall nevertheless, and they are hereby directed and required to Levy the said Sum of Fifteen Pounds Current Money, free from deduction, in each respective County, to be paid by the respective Sheriff of each County respectively, to the said Jonas Green, or his Order, for his better Support and Encouragement in serving this Province and residing within the same: For the Collection and Payment of which, or any other Sum or Sums in this Act mentioned, there shall be allowed to the said Sheriff respectively, a Commission of Five Pounds per Centum and no more.*

Sheriff's Commission.

Proviso. *Provided always, and be it further Enacted by the Authority aforesaid, That it shall and may be Lawful for the Justices of each respective County within this Province, and they are hereby required,*

p. 7 *not to Pay the said Jonas Green the said Fifteen Pounds so to be Levied for his Use aforesaid, unless it shall be made appear to them, that the Laws of the present and future Assemblies, shall be Printed or Delivered in the manner before directed, within the Space of Four Months next after the Conclusion of each Assembly; any Thing herein before contained to the contrary notwithstanding.*

Continuance of the Act. *This Act to continue until the Twenty-fifth Day of December, which shall be in the Year of our Lord One Thousand Seven Hundred and Forty-five, and no longer.*

Chapter V. An Act to prevent cutting up Tobacco Plants, destroying of Tobacco and Tobacco-Houses, and for ascertaining the Punishment of Criminals guilty of the said Offences.

Preamble. [Continued by 1747 Ch. 11, made perpetual by 1751 Ch. 7] Whereas, Tobacco is the Staple of this Province, and that thereon depends the Livelyhood of many of the Inhabitants, as well as the most considerable Branch of Trade; and that it is as requisite that the Property of the People should be as well secured in the Fields or open Houses, as in their Dwelling-Houses; it is therefore prayed that it may be Enacted,

Penalty on such as cut up Tobacco-Plants, destroy Tobacco, &c. *And be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That any Person or Persons who shall, after the End of this present Session of Assembly, cut or destroy, or cause*

to be cut up or destroyed, any Tobacco Plants belonging to any other Person or Persons, or by Threats, Menaces, or other sinister Means, shall cause or excite any Person or Persons to cut up or destroy any Tobacco or Tobacco Plants, belonging to any other Person or Persons, and shall be thereof convict by due Course of Law, shall forfeit and pay unto the Party grieved, One Hundred Pounds Sterling, and suffer Six Months Imprisonment, without Bail or Mainprize, and shall also remain in Prison, as in Execution, until the said Sum be satisfied, in case the Offender be of sufficient Ability to pay the same; and if the Offender shall not be of sufficient Ability, then and in every such Case, the Offender shall remain and continue in Prison for the Space of one whole Year, without Bail or Mainprize. *Provided also*, That the Party grieved, shall and may have and maintain his or her Action of Trespass, or other proper Action at Law, for Recovery of Damages against the Offender; any thing herein contained to the contrary notwithstanding.

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And be it further Enacted, That any Person or Persons, who shall after the End of this Session of Assembly, wilfully burn any Tobacco belonging to any other Person, whether hanging, or in Bulk, or packed, or any Tobacco-House or Houses, having therein any Tobacco hanging, or in Bulk, or packed, and be thereof convicted by due Course of Law, and every Aider and Abettor of such Offender, shall suffer Death as a Felon without Benefit of Clergy.

Burners of
Tobacco, or
Tobacco
House, to
suffer Death.

This Act to continue Three Years, and to the End of the next Session of Assembly, which shall happen after the End of the said Three Years. p. 8

An Act continuing an Act to prevent the injuring of Harbours within this Province, and for repealing the Act therein mentioned. Chapter VI.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act of Assembly entituled, *An Act to prevent the injuring Harbours within this Province, and for repealing the Act therein mentioned*, made at a Session of Assembly begun and held at the City of Annapolis, the Twentieth Day of March, Anno Domini One Thousand Seven Hundred and Thirty-four, be, and is hereby continued, and shall be in full Force for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the said Three Years.

An Act con-
tinued.

An Act for reviving and continuing an Act of Assembly of this Province entituled, *An Act for ascertaining the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping, and defacing Tobacco taken on board Ships or Vessels upon Freight*. Chap. VII.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and

An Act re-
vived and
continued.

Session Laws the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act entituled, *An Act for ascertaining the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping, and defacing Tobacco taken on board Ships or Vessels upon Freight*, made at a Session of Assembly, begun and held at the City of Annapolis, the Twentieth Day of April, Anno Domini Seventeen Hundred and Thirty-six, be, and is hereby revived and continued, to be and remain in full Force for and during the Term of Three Years next ensuing, and unto the End of the next Session of Assembly which shall happen after the End of the said Three Years.

Chap. VIII. An Act to enable Richard Dorsey of Anne Arundel County Gentleman to sell and dispose of forty nine Acres of Land part of the
 Liber
 B. L. C. Estate of Mary Woodward and Elizabeth Woodward Infants.
 p. 288

Whereas Elizabeth Gin in her own Right, William Woodward and Mary Holmes Trustees Devises and Executors of Mary Woodward deceased by their Deed dated the thirtieth day of September One thousand seven hundred and thirty six for the Consideration therein mentioned sold and conveyed to Achsah Woodward for Life without Impeachment of Waste and from and after her Death to her two Daughters the said Mary Woodward and Elizabeth Woodward their Heirs and Assigns to be equally divided between them as Tenants in Common the several following Tracts of Land lying in Anne Arundel County aforesaid, viz. Dorseys Addition, Upper Taunton Burntwood, and Howards Interest and all other the Lands to the said several Tracts adjoining, as the same are Contained within the Metes and Bounds mentioned in a Survey lately made by Master Henry Ridgley and Expressed in the said Deed as may appear by the Land Records of Anne Arundel County And Whereas Caleb Dorsey late of the said Anne Arundel County deceased by his Petition represented to the General Assembly in a Sessions of Assembly held on the twenty first day of September in the Year One Thousand seven hundred and forty two that the said Achsah was dead and that the said Mary and Elizabeth were then living to whom the said Caleb was Grandfather and Guardian and further that the said Caleb Dorsey had an Opportunity of letting upon Lease the said Lands if he could be Enabled to sell forty nine Acres part of the said Lands contained in the said Survey in fee for thirty Pounds Sterling which was offered to the said Caleb and which upon a Valuation made by Charles Carroll Esquire and Master John Worthington was reckoned to be the utmost Price that the said forty nine Acres could be worth and also that the said Caleb proposed to place the said Money at Interest for the Benefit of the said Orphans and in Trust to the same Uses as the said Land is Settled Wherefore that the said Caleb might be enabled to sell the said forty nine Acres

and place the Money at Interest for the Purposes aforesaid It was Enacted by an Act passed At the said Sessions that the said Caleb should and might and was thereby empowered to Sell dispose of and convey in fee Simple for the Consideration of the said thirty Pounds Sterling the said forty nine Acres abutted and bounded by the Metes Bounds Lines and Descriptions in the said recited Act mentioned and expressed and it was by the said Recited Act further Enacted that such Person or Persons who should buy and purchase the said forty nine Acres and pay the Consideration Money should by Virtue of such Purchase and by force of the said Recited Act be vested with and siesed of an Estate in fee Simple of in and to the said forty nine Acres of Land as by the said Act relation being thereunto had may more at large appear And Whereas in pursuance of the said Act the said Caleb Dorsey in his life time did Agree with his Excellency Thomas Bladen Esquire for the Sale of the said forty nine Acres for the Consideration of thirty Pounds Sterling and the said Thomas Bladen Esquire by Virtue of the said Agreement with the Consent and Approbation of the said Caleb Dorsey took Possession of the said forty nine Acres and in Confidence of the said Agreement and the performance thereof hath planted a Vineyard and made very considerable Improvements thereon but before the Execution of any Deed or Deeds for the conveying the said forty nine Acres to the said Thomas Bladen in fee Simple in pursuance of the said Agreement and the said Recited Act the said Caleb Dorsey died by which means no Person is at present Authorized or Impowered to sell and Convey the said forty nine Acres to the said Thomas Bladen in fee Simple as aforesaid And Whereas Richard Dorsey is uncle and Guardian to the said Mary and Elizabeth therefore for the carrying the said Agreement into Execution and complying with the Intent and directions of the said Recited Act Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said Richard Dorsey shall and may and he is hereby impowered upon Payment of the said thirty Pounds Sterling and the Interest accruing thereon since the time his said Excellency Thomas Bladen Esquire took Possession of the said forty nine Acres to make and execute any Deed or Deeds or Conveyances in Law for the assuring and conveying the said forty nine Acres to the said Thomas Bladen his Heirs and Assigns for ever so as such Deed or Deeds shall not contain any General or Special Warrantee to affect the Estate of the said Richard Dorsey his Heirs or Assigns And Be it further Enacted By the Authority Advice and Consent aforesaid that the said Thomas Bladen shall and may by Virtue of such Purchase and Deed or Deeds so to be Executed as aforesaid be Vested with and Siezed of an Estate in fee Simple of in and to the said forty nine Acres of Land And it is hereby further Enacted by and with the Authority Advice and Consent aforesaid that the

Liber
B. L. C. said Richard Dorsey shall as soon as conveniently may be place the said thirty Pounds Sterling and Interest to be received as aforesaid which shall be made Principal at Interest in such manner and upon such Security as he shall judge proper and that the Monies so to be placed at Interest shall be and is hereby declared to be in Trust for and to the same Purposes Uses and Limitations as the said Lands are now limited by the afore recited Deed and shall be accordingly accounted for to the said Mary Woodward and Elizabeth Woodward and that the said Richard Dorsey on placing the said Monies at Interest shall make and subscribe a Declaration of the Uses and Trusts of the said Monies so placed at Interest to be according to the Directions and true Intent and meaning of this Act.

Session
Laws
p. 9
Chap. IX.
An Act
continued. An Act continuing an Act entituled, *A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported; and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province.*

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act entituled, A Supplementary Act to an Act entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported; and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province, made at a Session of Assembly begun and held at the City of Annapolis, the Twentieth Day of March, Anno Domini One Thousand Seven Hundred and Thirty-four, be, and is hereby continued, and shall be in full Force for and during the Term of Three Years next ensuing, and to the End of the next Session of Assembly which shall happen after the End of the said Three Years.

Chapter X.
Liber
B. L. C. An Act for the Naturalization of James Richard of Baltimore County
p. 290

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said James Richard born in Rochel in the Kingdom of France and under the Dominion of the French King shall be and is hereby enabled and Adjudged to all Intents and Purposes to Challenge Have hold and Enjoy any Lands Tenements Rents and Hereditaments to which he may in any wise be intituled to within this Province as if the said James Richard had been a free and natural Born Subject and liege Person of his most Sacred Majesty King George the second he the said James Richard having taken the usual Oaths

to the Government appointed by Law, and also that he the said James Richard is hereby enabled to Maintain Prosecute Avow Justify and defend all and all manner of Actions Suits Plaints Pleas and other demands whatsoever within this Province as liberally frankly freely fully lawfully and securely as if the said James Richard had been his said Majestys natural Born Subject and Liege Person any Law Statute Usage or Custom to the Contrary in any wise notwithstanding.

Liber
B. L. C.

An Act empowering the Justices of *Prince George's* County, to levy on the taxable Inhabitants of *Queen Anne's* Parish in the said County, the Sum of Two Hundred Pounds Current Money, for the Uses therein mentioned.

Chapter XI.
Session
Laws
p. 9

Whereas, the Vestry-men of *Queen Anne's* Parish in *Prince George's* County, have by their humble Petition to this General Assembly set forth, that their Parish Church and Chapel want sundry Repairs, and that the said Chapel is too small to accommodate their Parishioners in a decent Manner, and that it was thought necessary to enlarge it; and have humbly prayed that an Act may pass, that Two Hundred Pounds Current Money may be levied upon the taxable Persons of the said Parish, for those Purposes, by Two equal Assessments.

Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of *Prince George's* County, shall and may, and they are hereby authorized and empowered, on the Application of the said Vestry-men and Church-Wardens, to assess and levy upon the taxable Inhabitants of the said Parish the aforesaid Two Hundred Pounds, at Two equal Assessments; which said Sum of Two Hundred Pounds shall be collected by the Sheriff of the said County, who is hereby authorized and directed to collect the same, and who shall have for such Collection, at and after the Rate of Five Pounds *per Centum*: and the said Money, when so collected, shall be paid to the said Vestry and Church-Wardens, who are hereby authorized and required to apply the same towards repairing the said Parish Church, and building an Addition to the Chapel, and repairing the same, in such Manner as to the Vestry-men and Church-Wardens of the said Parish, for the Time being, shall seem most just and reasonable.

200 l. to be
levied on the
taxable
Inhabitants
of *Q. Anne's*
Parish, in
P. George's
County, for
repairing
and enlarg-
ing the
Church and
Chapel

p. 10

An Act empowering the Justices of *Prince George's* County, to levy on the taxable Inhabitants of *King George's* Parish in the said County, the Sum of Two Hundred and Fifty Pounds Current Money, for the Uses therein mentioned.

Chap. XII.

Whereas, sundry Inhabitants of *King George's* Parish, in *Prince George's* County, have by their humble Petition to this General As-

Preamble.

Session Laws ssembly set forth, that they live so remote from their Parish Church, that they cannot have the Advantage of hearing the Word of God preached, and have therefore prayed that an Act may pass, empowering the Justices of *Prince George's* County Court to levy on the taxable Inhabitants of the said Parish the Sum of Two Hundred and Fifty Pounds Current Money, and that the same be laid out in the building a Chapel, for the Conveniency of the upper and remote Inhabitants of the said Parish, on the Lands which *William Scott, senior*, hath given to the Parish for the Use aforesaid; and that the said Chapel may be deemed a Chapel of the said Parish, and at all Times, when Need shall require, be supported and repaired at the Charge of the said Parish.

250 l. to be levied on the taxable Inhabitants of K. George Parish, in P. George's County, &c. *Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That the Justices of *Prince George's* County shall and may, and are hereby authorized, empowered, and directed to assess and levy by Two equal and even Assessments, on the taxable Inhabitants of the said Parish, the aforesaid Two Hundred and Fifty Pounds: which said Sum of Two Hundred and Fifty Pounds shall be collected by the Sheriff of the said County, who is hereby authorized and directed to collect the same, and who shall have for such Collection, at and after the Rate of Five Pounds *per Centum*; and the same Money, when so collected, shall be paid to the said Vestry and Church-Wardens, who are hereby authorized and required to apply the same towards building a Chapel as aforesaid.

Money &c. hereafter levied, how to be applied. *And be it further Enacted by the Authority, Advice, and Consent aforesaid,* That all Tobacco or Money, hereafter to be levied by Virtue of any Act or Acts of Assembly of this Province, on Application to the Justices of the said County, made by the Vestry and Church-Wardens of the said Parish, shall be applied as well for the repairing of the said Chapel, as the Parish Church in the said Parish, in such Manner and Proportion, as to the Vestry-men and Church-Wardens of the said Parish, for the Time being, shall seem most just and reasonable.

Chap. XIII. P. II. A Supplementary Act to an Act entituled, *An Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River, in Prince George's County, near a Place called the Garrison Landing.*

Preamble. Whereas, sundry of the Inhabitants of *Prince George's* County have by their Petition to this General Assembly set forth, that several Persons had taken up Lots in the Town of *Bladensburgh*, according to the Directions of the Act of Assembly entituled, *An Act for laying out and erecting a Town on the South Side of the Eastern Branch of Potomack River, in Prince George's County, near a Place*

called the Garrison Landing; and that the Time limited by the said Act, for the compleating the Buildings, in order to secure the same Lots, is too short to perfect the same, and have humbly prayed that an Act may pass, granting a longer Time to the Takers up of the said Lots, to build on the same; as also that the Owners or Takers up of the said Lots, on building a House agreeable to the Directions of the said Act, may be intituled to the same, although no Stone or Brick Chimney be built thereto.

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Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Two Years from the End of this Session of Assembly shall be, and is hereby given and granted to the Person or Persons, their Heirs, or Assigns, who took up any Lot or Lots in the said Town of *Bladensburgh*, more than what is given by the before-recited Act, to compleat their Buildings.

Two Years
more
allowed for
compleating
the
Buildings.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That the Takers up of the said Lots, their Heirs or Assigns, upon his, her, or their building one good and substantial Warehouse, which shall cover Four Hundred square Feet of Ground, shall invest such Taker-up, his or her Heirs or Assigns, with an Estate in Fee, in such Lot or Lots, although the same hath no Stone or Brick Chimney.

Warehouses
to be built
by the Pro-
prieters of
such Lots as
have not
Dwelling-
Houses built
on them.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That from and after the Tenth Day of November, which shall be in the Year of our Lord One Thousand Seven Hundred Forty and Six, no Person or Persons inhabiting in any House or Houses in the Town aforesaid, shall keep or make any Fire or Fires, in any other than Brick or Stone Chimneys, under the Penalty of Forty Shillings Current Money for every Offence, to be recovered before a single Magistrate, as in the Case of small Debts, to be paid to the Majority of the Commissioners of the said Town, one Moiety for the Use and Benefit of the said Town, the other to the Informer; which said Magistrate is hereby impowered to hear and determine the same, and to commit the Offender or Offenders to the Sheriff of the County, on his or their Refusal, or Non-Payment of the Fine aforesaid.

Penalty on
Persons
making
Fires in
Wood
Chimneys.

And be it further Enacted by the Authority aforesaid, That when and as often as any of the Commissioners, in the before-recited Act mentioned, shall die, or remove out of the County aforesaid, or refuse, neglect, or be otherwise incapacitated to act in the Execution of the said Act, then, and in every such Case, the other Commissioners aforesaid or the major Part of them, shall, and are hereby empowered, required, and directed, forthwith to choose and appoint one other fit and capable Person to be a Commissioner, in place of such Commissioner so dying, removing, refusing, neglecting, or

p. 12
Commis-
sioners,
dying, &c.,
others to be
appointed.

Session being otherwise incapable of acting; and so *toties quoties* as such
 Laws Vacancy shall happen: Which Commissioner so chosen and appointed shall, and is hereby declared to have all the Powers and Authorities for putting the aforesaid Act in Execution, as any of the other Commissioners in the said Act named.

Chap. XIV. An Act appointing Commissioners for dividing *St. Mary's* County into Four Parishes, and to erect that Part of *All Faith and King and Queen* Parish, lying in *Charles* County, into a distinct Parish.

Preamble. Whereas, the Sheriff, Magistrates, Grand Jury-men, and other
 [Supple- the Protestant Inhabitants of *St. Mary's* County, have by their
 mented by Petition represented to this General Assembly, that the present ex-
 1745 Ch. 4] tensive Limits of the Parishes within the said County, and by including Part of *Charles* County, renders the Attendance of the Clergymen very difficult in the Discharge of their Duty, and very inconvenient to the Inhabitants, and that within the said *St. Mary's* County there now is, exclusive of that Part of *Charles* County, a sufficient Support for Four Clergymen, and will yearly increase: They therefore prayed, that an Act may pass, to enable certain Commissioners therein to be appointed, to make a Division of the said County of *St. Mary's* into Four distinct and different Parishes, by proper Metes and Bounds; which Division should take place upon the Death or Removal of the present Incumbent or Incumbents of the said Parishes; which being granted, it is humbly prayed that it may be Enacted:

County And be it Enacted by the Right Honourable the Lord Proprietary,
 Justices, &c. by and with the Advice and Consent of his Lordship's Governor, and
 appointed the Upper and Lower Houses of Assembly, and the Authority of the
 Commis- same, That the several and respective Justices of the said *St. Mary's*
 sioners for County, for the Time being, together with the Sheriff and Surveyor
 executing of the same County, for the Time being, be, and they are hereby
 this Act. appointed Commissioners to execute the several Matters and Things in this Act hereafter appointed and directed.

Time of And be it further Enacted, That the said Commissioners, or the
 meeting major Part of them, shall at or before the Thirtieth Day of *August*,
 of the said which shall be in the Year of our Lord One Thousand Seven Hun-
 Commis- dred and Forty-four, meet at the Court-House at *Leonard Town*,
 sioners for laying out the said in the County aforesaid, in order to make the Division of the said
 Parishes. County into Four distinct Parishes, they the said Commissioners first giving public Notice by Notes set up at the Court-House of the said County, and the respective Churches and Chapels within the same, Twenty Days at least before such their Meeting, and then and there agree and conclude on the Time, Manner, and Form, of making the Division aforesaid.

p. 13 And be it likewise Enacted, That the said Commissioners, or the
 Commis- major Part of them, shall and may, and they are hereby impowered
 sioners to make choice of a Clerk,

to make choice of a suitable Person for a Clerk, to attend upon them for the Purposes herein directed; and likewise to pay such Clerk, and other Charges which shall arise on the Execution of this Act, by an Allowance to be made in Assessment and Levy of the County aforesaid.

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And be it further Enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, shall and may, and they are hereby empowered and authorized to adjourn their said Meeting from the Court-House aforesaid, to such Place or Places, and at such Time and Times, and from Place to Place, and Time to Time, as to them, or the major Part of them, shall seem needful and requisite to and for the Intents and Purposes aforesaid.

And may
adjourn to
what Time
or Place
they shall
see requisite.

And be it likewise Enacted by the Authority, Advice, and Consent aforesaid, That the said Commissioners, or the major Part of them, shall, and they are hereby empowered, authorized, and directed to lay out, or cause to be laid out, divided, and separated, the said County of *St. Mary's* into Four different and distinct Parishes, by suitable, natural, and artificial Lines, Buttments, and Boundaries, with Regard to the Conveniency of the People, and so as the Number of Taxables in the said County, may be as equally divided into the same Four Parishes, as near as the Nature of the Thing will admit of.

Commis-
sioners are
to lay out
and divide
the said
County into
4 Parishes.

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, shall cause the Division of the said County by them to be made, into four Parishes, as aforesaid, to be fairly and distinctly entered in a Book, by natural and artificial Bounds and Courses, as aforesaid, in Four different and distinct Certificates, which said Four Certificates shall be by them the said Commissioners, or the major Part, returned to the Clerk of the said County and be by him entered among the Records of the same County; and he the said Clerk for the Time being, is hereby impowered, authorized, and directed to make such Entry among the Records of the same County, there to remain as the true and indisputable Bounds of the said Parishes respectively.

Boundaries
of the said
Parishes to
be entered
in the
County
Records.

And be it likewise Enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, shall cause Duplicates of the same Certificates or Divisions of the Parishes aforesaid, to be returned to the Vestry of each Parish now in the said County, or which hereafter shall be; which Vestries respectively are hereby authorized, impowered, and directed to cause the respective Clerks or Registers of their said Vestries to enter in the Record-Books or Registers of the same Vestries respectively, such Certificates of the Divisions of the Parishes aforesaid.

And also in
the Regis-
ters of the
respective
Vestries.

And be it further Enacted by the Authority aforesaid, That the said Division, so as aforesaid directed to be made, and recorded in the said County-Court Office, and the Registries of the said Four

Session
Laws Parishes respectively, shall be taken and deemed as the true Bounds and Limits of the said Four Parishes, in the said County of *St. Mary's*.

p. 14
Com-
missioners
may alter
the Names
of the pres-
ent Parishes. *And be it likewise Enacted by the Advice, Authority, and Consent aforesaid, That the said Commissioners, or the major Part of them, shall and may, and they are hereby impowered and directed, to alter the Names of the present Parishes respectively, or continue the present Names, and to give Name to what Parish they shall add; which Names so by them altered, continued, or given, shall be entered in the said respective Certificates, and by which the same shall be called and deemed at all Times hereafter.*

Part of *All Faith and King and Queen* Parishes in *Charles* County, to be one distinct Parish. *And be it likewise Enacted by and with the Advice, Authority, and Consent aforesaid, That all that Part of All Faith and King and Queen Parishes, now being and situate within Charles County, shall hereafter be reputed, deemed, and remain a distinct and separate Parish, by the Name of Trinity Parish, but so as not to affect the Forty per Poll, until after the Decease or Removal of the present Incumbent or Incumbents, of the same Parishes of All Faith and King and Queen, as the same may respectively happen.*

How the 40
per Poll,
arising be-
tween the
Death of the
Present In-
cumbents
and the In-
duction of
the next, is
to be dis-
posed of. *And be it further Enacted by the Authority aforesaid, That upon the Death or Removal of both, or either of the present Incumbents of the said Parishes of All Faith and King and Queen, that the Part or Whole of the Forty Pounds of Tobacco per Poll, arising due after the Death of the said Incumbents of All Faith and King and Queen Parishes, or either of them (until the said Parish of Trinity shall be filled up with an Incumbent), shall, and is hereby directed to be paid to the Justices of Charles County aforesaid for the Time being, who are hereby impowered, authorized, appointed, and directed to receive the same, and to cause the Tobacco arising thereby to be publicly sold at August Court Yearly, to the highest Bidder; and the Money arising upon such Sale to lend out, upon good and sufficient personal Security, at common Interest, which principal Money, and Interest thereon arising, shall, and is hereby directed to be applied according to the Directions of an Act of Assembly of this Province entituled, *An Act to declare how the Forty Pounds of Tobacco per Poll, in such Parishes where there is no Incumbent, shall be disposed of.**

Borrowers
of the said
Money to
give Bond,
&c. *And be it likewise Enacted by the Authority aforesaid, That the said Justices of Charles County shall, and they are hereby impowered and directed, as often as they shall let out any of the Money arising from the Sale of such Tobacco, or Interest thereof, to take a Bond from the Borrower of such Money, and his Surety or Sureties, in double the Sum lent, payable to the Right Honourable the Lord Proprietary, his Heirs and Successors, for the Use of the said Trinity Parish; which Bond or Bonds shall be Conditioned for the Payment of the Principal and Interest to the Justices of the said County for*

the Time being, to be applied to the Use of the said Parish, according to the Directions of the aforesaid Act of Assembly. Session Laws

And be it likewise Enacted by the Authority aforesaid, That the said Justices shall cause such Bond or Bonds to be entered among the Records of the County aforesaid, and a Copy of such Bond, in case of Loss of the original Bond or Bonds, and Non-Payment, shall be good Evidence against the Principal or Principals, Surety or Sureties, in such Bond mentioned, and that as Occasion shall be to sue such Bond, the same shall be done in the same Manner as Sheriffs Bonds have heretofore been. Which must be entered among the Records of the County.

p. 15

And be it likewise Enacted, That the Freeholders of the said Four Parishes in *St. Mary's* County respectively, and of the said *Trinity* Parish in *Charles* County, shall, and they are hereby impowered and directed to make choice of Six select Vestrymen and Two Church-Wardens, each respectively, at such Time and Place, and from time to time, as Need shall require, and according to the Directions of the Laws of this Province now in Force, or which hereafter shall be, touching the Premises, with the same and like Rights, Liberties, and Privileges, as other Vestries within this Province now have, or hereafter may have. Vestrymen and Church-Wardens to be chose by the Freeholders.

And be it likewise Enacted, That the Freeholders of the said Four Parishes in *St. Mary's* County, so as aforesaid to be erected, as also of the said *Trinity* Parish in *Charles* County, shall, from and after the Time of this Act's taking Place, have, hold, and enjoy all and singular the Rights, Liberties, Privileges, and Immunities, which any other Parish or Parishes now have, or hereafter may have within this Province; any Law, Statute, Usage, or Custom to the contrary thereof in any wise notwithstanding.

Provided always nevertheless, That such Divisions or Alterations of the Parishes aforesaid, or the erecting of the aforesaid *Trinity* Parish in *Charles* County, shall not take Place or Effect until the Death or Removal of the present Incumbent or Incumbents respectively, as the same may or shall happen, so as not to alter or change the yearly Income of either or any of the said present Incumbents, in the Parishes which they now enjoy. The Division and Alterations not to affect the present Incumbents.

Provided also, and it is hereby Declared and Enacted, That in case of the Death or Removal of either of the Incumbents of the said *All Faith* and *King and Queen* Parishes, whereby the Part of his Parish now within *Charles* County should become vacant, and without the Assistance of a Clergyman, that then and in such Case, it shall and may be lawful for the Protestant Freeholders of that vacant Part, or the greater Number of them, to meet and make choice of a suitable Place for the Performance of Divine Service within such Part, and then to apply to the Governor or Commander in Chief within this Province, to appoint them a Clergyman fit and able to perform Divine Service, and administer the Sacrament, according Proviso.

Session Laws to the Rites of the Church of *England*; and such Freeholders, or the major Part of them, shall and may, and they are hereby impowered to agree with such Clergyman, and to pay him out of the Forty Pounds of Tobacco arising within the said vacant Part, or the Produce thereof, in the Hands of the Justices aforesaid, which said Justices are hereby directed and impowered to pay the same, according to the Order of the said Freeholders, or the major Part of them.

Chap. XV. An Act for building a Prison in *Worcester* County.

Preamble. Whereas, it is necessary to build a Prison in *Snow-Hill Town*, in *Worcester* County, with such Conveniencies as may render Confinement less grievous, and for the better Security of Prisoners in the p. 16 said County :

County Justices impowered to build a Prison. *Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Worcester, or the major Part of them, shall and may, and are hereby authorized and impowered to erect and build, for the Use of Worcester County, a Prison, in Snow-Hill Town, in the said County.*

500 l., Currency allowed for building the same. *And be it further Enacted by the Authority aforesaid, That the Commissioners or Trustees for emitting Bills of Credit shall, on Demand, pay unto the said Justices of Worcester County, or the major Part of them, or their Order, the Sum of Five Hundred Pounds in Bills of Credit, for the Purpose aforesaid; which the said Justices of Peace, or the major Part of them, are hereby impowered and directed to lay out in erecting or building the said Prison.*

Chap. XVI. An Act to enable Samuel Wilson Executor of Margaret Lindow to Lib. Convey certain Lands to David Wilson
B. L. C.

p. 295 Whereas Samuel Wilson of Somerset County Executor of the last Will and Testament of Margaret Lindow late of the same County Deceased by his Petition to this General Assembly has set forth that by Agreement made between the same Margaret in his Life time and a certain David Wilson of the aforesaid County the said David was to Convey and make over to her all his Right Title and Interest of and in a parcel of Land called Davis's Choice and that in Consideration thereof the said Margaret should convey and make over to the said David all her Estate Right Title and Interest of and in all the Lands devised by the last Will and Testament of Col^o David Brown deceased to Thomas Wilson Father of the same Margaret and that in pursuance of that Agreement the same David by his Deed bearing date the Seventeenth day of September Seventeen hundred and forty two did Convey to the same Margaret his Estate Right and Title to the aforesaid Land called Turners Purchase and the said Margaret Executed A Bond in the Penalty of

One hundred and fifty Pounds Current Money with Condition to make over to the said David her Right Title and Interest of the Lands aforesaid Devised to her Father by David Brown that the same Margaret made her last Will and Testament and thereby devised to her three Youngest Daughters being Infants the residue of her Estate Real and Personal, in which Devise the aforesaid Land agreed to be Conveyed to the said Wilson is included and made the said Samuel and others Executors and died without Executing any Deed according to the Condition of the Bond and Agreement aforesaid for which the said David Wilson has lately brought an Action in the Provincial Court on the said Bond against the said Samuel the only Acting Executor of the said Margaret And Forasmuch as the aforesaid three Younger Daughters Devisees of the Land agreed to be conveyed to the said David Wilson are incapable of making such Conveyance by reason of their Nonage the said Samuel prayed that an Act might be made to enable him to grant Convey and make over to the said David Wilson all the Estate Right Title and Interest which the same Margaret in her Life time had in the Lands as aforesaid Devised by Col^o David Brown according to the Tenor of the Condition and Agreement aforesaid Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper & Lower Houses of Assembly and the Authority of the same that Samuel Wilson of Somerset County aforesaid Executor of the last Will and Testament of Margaret Lindow aforesaid shall be and by Virtue of this Act is Authorized Impowered and enabled by Deed or Deeds by him to be executed and acknowledged by Grant Convey and make over unto the said David Wilson his Heirs and Assigns in fee according to the Tenor of the Agreement aforesaid All the Estate Right Title and Interest which the aforesaid Margaret in her life time had and enjoyed of in and unto all and singular the Lands Tenements and Hereditaments with the Appurtenances thereunto belonging lying and being in Somerset County aforesaid which the aforesaid Colonel David Brown by his last Will and Testament aforesaid devised to the aforesaid Thomas Wilson Father of the same Margaret in as full and ample manner as the same Margaret could or might have done in her Life time and that the aforesaid David Wilson upon the Execution of such Deed or Deeds as aforesaid shall and may by Virtue thereof and of this Act take receive have hold and enjoy to the proper Use of him the said David Wilson and his Heirs the Lands aforesaid so Granted and Conveyed by such Deed or Deeds and all the Estate Right Title and Interest which the aforesaid Margaret Lindow in her life time had and enjoyed therein with the Appurtenances in as full and ample manner to all Intents and Purposes as if the same had been Granted and Conveyed to him according to the Agreement aforesaid by her the said Margaret in her life time and that by Virtue of such Grant & Con-

Liber
B. L. C.

p. 296

Liber
B. L. C. veyance all Person and Persons whatsoever claiming or who here-
after shall claim any Estate Right Title or Interest of or in the
aforesaid Lands by from or under the aforesaid Margarett so to be
Granted and Conveyed shall be and are hereby for ever Barred and
Excluded from all and every such Claim Estate Right Title or Inter-
est Provided always that such Deed or Deeds so to be Executed
and all Clauses Articles and things therein to be Contained shall be
conformable to and for such Estate or Estates as was Stipulated and
Agreed upon by the Agreement aforesaid made Between the said
David and Margaret and not otherwise and that nothing in such
Deed or Deeds or this Act shall Extend or be Construed to extend
to bind or oblige the said Samuel or his Heirs to any Warranty for
the Lands so to be Conveyed or any of them. And Whereas it ap-
pears to this General Assembly that the aforesaid Margaret Lindow
had Bargained and sold the aforesaid Parcell of Land called Turners
Purchase to the Vestry men of Somerset Parish in the County afore-
said for the Use of the said Parish for a valuable Consideration to
her therefore paid by the said Vestrymen but that she Died before
she was enabled to Convey the Title thereof to the said Vestry Be it
therefore Enacted by the Authority aforesaid that the said David
Wilson or his Heirs shall be and are hereby required and obliged to
convey and make over all his or their Estate Right Title and Interest
of in and to the aforesaid Land called Turners Purchase which he
now hath or had at the time of making the Agreement aforesaid
unto the present Vestrymen of Somerset Parish aforesaid or the
Vestrymen of the same Parish for the time being for the Use and
Benefit of the said Parish in the same manner as by the Agreement
aforesaid he was to have conveyed the same to the aforesaid Mar-
garet in her life time otherwise he the said David Wilson or his
Heirs shall not take have or receive any Estate Right or Title of or
in the aforesaid Lands hereby before provided to be Conveyed to
him by the aforesaid Samuel Wilson any thing herein before Con-
tained to the Contrary notwithstanding.

Chap. XVII. An Act continuing an Act of Assembly of this Province Entituled,
Session
Laws *An Act for the more effectual Punishment of certain Offenders,*
p. 16 *and for taking from them the Benefit of Clergy.*

An Act
continued. *Be it Enacted by the Right Honourable the Lord Proprietary, by*
and with the Advice and Consent of his Lordship's Governor, and
the Upper and Lower Houses of Assembly, and the Authority of
the same, That the abovementioned Act entituled, An Act for the
more effectual Punishment of certain Offenders, and for taking from
them the Benefit of Clergy, made at a Session of Assembly begun and
held at the City of Annapolis, the Twenty-sixth Day of April, Seven-
teen Hundred and Thirty-seven, be, and is hereby continued in full
Force for and during the Term of Three Years next ensuing, and

unto the End of the next Session of Assembly which shall happen after the End of the said Three Years. Session
Laws

An Act continuing an Act of Assembly of this Province Entituled, *A Supplementary Act to the Act entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and to an Act entituled, An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the Manner of trying of Slaves.* Chapter
XVIII.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the abovementioned Act entituled, An Act continuing an Act of Assembly of this Province Entituled, A Supplementary Act to the Act entituled, An Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and to an Act entituled, An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the Manner of trying of Slaves, An Act
continued.
made at a Session of Assembly begun and held at the City of Annapolis, the Twenty-sixth Day of April, Seventeen Hundred and Thirty-seven, be, and is hereby continued in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly that shall happen after the End of the said Three Years. p. 17

An Act reviving an Act of Assembly entituled, *An Act for the Benefit of the Poor, and Encouragement of Industry.* Chap. XIX.
An Act
revived.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Act entituled, An Act for the Benefit of the Poor, and Encouragement of Industry, made at a Session of Assembly begun and held at the City of Annapolis, the Seventh Day of July, Anno Domini One Thousand Seven Hundred and Forty, be, and is hereby revived and continued in full Force, from and after the End of this Session of Assembly, for and during the Term of Three Years, and to the End of the next Session of Assembly that shall happen after the End of the said Three Years. Chap. XX.
Horse-
Stealers,
&c. how
punished.
[Continued
by 1747 Ch.
12, 1751 Ch.
4, 1754 Ch. 2,
1757 Ch. 26,
1762 Ch. 4,
1765 Ch. 25,
1773 Ch. 2,
Oct. 1780 Ch.
12, Nov.
1789 Ch. 38
and 1796 Ch.
66]

An Act for Punishment of Horse-Stealers, and other Offenders.

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all and every Person and Persons, who shall hereafter feloniously take or steal any Horse or Horses, Mare or Mares,

Session
Laws Gelding or Geldings, Colt or Colts, within this Province, and all Aiders, Abettors, and Accessories, either before or after the Fact, of any such Takers or Stealers, and all and every Person and Persons who shall buy, take, or receive any stolen Horse, Mare, Gelding, or Colt, knowing the same to be feloniously taken or stolen, and shall be thereof convicted, by Confession or Verdict, or be outlawed, or will not upon Arraignment answer directly according to Law, or shall wilfully and of Malice stand mute, or shall peremptorily challenge above Twenty, shall for every such Offence or Offences as aforesaid, suffer Death as a Felon, without Benefit of Clergy.

And be it further Enacted, That any Person or Persons who shall, after the Publication of this Act, maliciously, wilfully, and designedly burn any Ship or other Vessel, Sloop, Shallop, or Boat, of Seventeen Feet Keel, or upwards, whether laden or empty, and the Aiders or Abettors of such Offender or Offenders, being thereof convicted or attainted by due Course of Law, shall suffer Death as a Felon or Felons, without Benefit of Clergy.

p 18 This Act to continue for Three Years next ensuing, and to the End of the next Session of Assembly that shall happen after the said Three Years.

Chap. XXI. An Act to enable the Rector, Vestrymen, and Church-Wardens of *St. James's* Parish, in *Anne-Arundel* County, to lease Lands belonging to *St. James's* Church, in Manner, and to the Uses therein mentioned.

Preamble. Whereas, the Vestrymen and Church-Wardens of *St. James's* Parish, in *Anne Arundel* County, have by their humble Petition represented to this present General Assembly, that they are entitled to and possessed of a Parcel of Land, Part of a Tract called *Wrighton*, on the East Side of *Patuxent* River, in *Anne Arundel* County, and that the said Land has hitherto remained unimproved, and might for the future continue not only unimproved, but a Burden and Charge to the Incumbent of the said Parish (by Payment of his Lordship's Land-Rents), for want of Power in the Rector, Vestrymen, and Church-Wardens of the said Parish, for the Time being, to lease the said Land for Years, to such Person or Persons as might be willing and desirous to receive such Lease or Leases of the said Land, or some of it, to build on, and otherwise improve the same; wherefore it was by the said Petition prayed, that Leave might be given to bring in a Bill to enable the Rector, Vestrymen, and Church-Wardens of the said Parish for the Time being, to lease and demise the aforesaid Land to any Person or Persons who shall be willing and desirous to take a Lease thereof, on such Conditions, Covenants, Provisoos, Agreements, and Rents, as the Rector, Vestry-men, and Church-Wardens of the said Parish for the Time being, and the Person or Persons who shall be willing to take the

same, can agree upon, and for any Term not exceeding Twenty-one Years, to the Use and Benefit of the Incumbent of the said Parish for the Time being. Session Laws

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall and may be lawful for the Rector, Vestry-men, and Church-Wardens of *St. James's* Parish, in *Anne Arundel* County, for the Time being, from Time to Time to grant, lease, demise, and to Farm let, to any Person or Persons willing and capable to take the same, the aforesaid Land of *Wrighton*, as aforesaid, or any Part of it, and on such Conditions, Covenants, Provisoes, Agreements, and Yearly Rents, as the said Rector, Vestry-men, and Church-Wardens, for the Time being, or the major Part of them, and the Person or Persons who shall from time to time be willing and desirous to take the same, or any Part thereof shall agree upon, and for any Term not exceeding Twenty-one Years, in any one Demise. Rector, Vestrymen, &c. of *St. James's* Parish, empowered to lease certain Lands.

p. 19

And be it Enacted by the Authority, Advice, and Consent aforesaid, That the Yearly Rents, Revenues, and Profits of the Premises be, and are hereby Enacted and to be and belong to the Incumbent of the said Parish for the Time being, for his sole and separate Use and Benefit, and to and for no other Use, Intent, or Purpose whatsoever. And Rent of the said Land to belong to the Incumbent.

Provided also, and be it Enacted, That if there shall at any Time hereafter happen to be a Vacancy in the said Parish for want of an Incumbent, that then and in such Case it shall and may be lawful to and for the Vestry-men and Church-Wardens of the said Parish for the Time being, or the major Part of them, or any Person by them or the major Part of them to be appointed for that Purpose, to ask, demand, and receive of and from such Person or Persons from whom the same shall be payable, the several Rents to be reserved as aforesaid, accruing due during such Vacancy, and the same shall be by the Vestry-men and Church-Wardens aforesaid for the Time being, or the major Part of them, used and applied in the same Manner, and to the same Uses and Purposes as the Forty *per* Poll on the like Occasion, by an Act of Assembly made and passed at a Session of Assembly begun and held at the City of *Annapolis*, on the Twenty-sixth Day of *April*, One Thousand Seven Hundred and Fifteen, entituled, *An Act to declare how the Forty Pounds of Tobacco per Poll, in such Parishes where there is no Incumbent shall be disposed of*, is directed to be applied. Proviso.

And be it further Enacted by the Authority aforesaid, That the aforesaid Lease or Leases so as aforesaid to be made, shall and are hereby directed to be within Three Months from the Date thereof, The Leases to be entered in the Register-Book of said Parish.

Session by the Clerk or Register of the said Parish for the Time being, at
Laws the Request of the Leasee, entered *verbatim* on the Register Book of the said Parish, and there to be viewed and perused by any Person desiring the same, and who shall on paying a reasonable Fee or Reward, have a Copy thereof, or of such Part thereof as such Person shall think proper, and for which Entry so as aforesaid to be made in the Register-Book, the Clerk or Register shall have and receive the Sum of Five Shillings Current Money, and no more; and which Entry, when made as aforesaid, shall be deemed, taken, and construed to be as good and effectual to all Intents and Purposes, as if the same had been acknowledged and entered among the aforesaid County or Provincial Records; any Law, Usage or Custom to the contrary notwithstanding.

Chap. XXII. A Supplementary Act to the Act Entituled, *An Act for laying out and erecting a Town, at a Place called Long Point, on the West Side of North-East River, in Cæcil County.*

Preamble. Whereas, the Inhabitants or Takers-up of the Lots in *Charles-Town*, in *Cæcil County*, have by their Petition to this General Assembly represented, That they have voluntarily advanced, and paid into the Hands of the Commissioners appointed for laying out the said Town, the Sum of Twenty Shillings upon every and respective
[Supple-
mented by
1750 Ch. 12
and 1753 Ch.
28]
p. 20 Lot by them taken up, over and above the Price and Purchase thereof, whereby there is paid into the Hands of the said Commissioners the Sum of Two Hundred Pounds Current Money, to be applied towards Building a public Wharf and Storehouse in the said Town, for the Advancement of the Trade thereof; and therefore pray that a Law may pass, for laying out the said Money towards building a public Wharf and Storehouse, on the public Ground laid out and reserved for that Purpose, and to direct the Management of the said Wharf and Storehouse, and also to grant them such farther Privileges for the Advancement of the Trade, and good Regulation of the said Town, as may seem most fit and agreeable to encourage the Settlement thereof: For the Encouragement therefore of the said Petitioners, and other well disposed to forward the Trade and Advancement of the said Town, represented to be most conveniently situated for the Trade of all Sorts of Grain, Flour, Flax, Seed, and such like Commodities;

Commis- *Be it Enacted by the Right Honourable the Lord Proprietary, by*
sioners to *and with the Advice and Consent of his Lordship's Governor, and*
lay out the *the Upper and Lower Houses of Assembly, and the Authority of*
public *the same, That Col. Thomas Colvill, Capt. Nicholas Hyland, Mr.*
Money. *Benjamin Pearce, Mr. Henry Baker, Mr. Zebulon Hollingsworth,*
Mr. John Read, and Mr. Benjamin Chew, be, and are hereby ap-
pointed Commissioners for laying out the said Money, so advanced
and collected as aforesaid; as also for receiving, collecting, and lay-

ing out all such Sum or Sums of Money, that shall be advanced or given by any Person or Persons, for the said Uses; and that the said Commissioners, or the major Part of them, do, and are hereby directed and impowered to lay out the said public Money already received, or which shall be by them hereafter received, in the most careful and speedy Manner, by agreeing with sufficient and able Workmen, to build the said public Wharf, Storehouse, or Storehouses, in such Place and Manner on the Ground aforesaid, as to the said Commissioners, or the major Part of them, shall seem most commodious for the Trade and Advantage of the said Town.

Session
Laws

How the
same is to be
applied.

And be it further Enacted, That no Commissioner shall directly or indirectly be any way concerned in any Bargain or Contract, to be made with any Workman or Workmen, for building the said Wharf and Storehouses, or any other public Buildings, so as to receive any Profit or Advantage thereby, on the Penalty of Fifty Pounds Current Money, to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed and applied to the Use of such public Building; and that the said Workmen shall declare upon Oath (if required by the said Commissioners), the Names of all such Persons as are joined and concerned with them, in the said Contracts or Agreements.

Commis-
sioners not
to be con-
cerned in
Contracts,
whereby
advantage
may accrue
to them-
selves.

And be it Enacted by the Authority, Advice, and Consent aforesaid, That the Commissioners aforesaid, or the Commissioners for the Time being, shall keep a fair and particular Account of the Receipts and Disbursements of this and all other public Money by them received for the Uses aforesaid, and shall annually lodge a Copy thereof with the Clerk of *Cæcil* County, signed by the Commissioners, or the major Part of them, and which Account the said Clerk shall copy, and insert in the Record-Book kept for the Use of the said Town, without Fee.

Accounts of
public
Money to be
kept.

p. 21

And be it also Enacted, That when the said Wharf and Storehouse and Houses shall be Built, the said Commissioners, or the major Part of them, shall appoint a Person of good Repute and Skill in the Goodness and Quality of Flour, Wheat, and other Grain, to be Wharfinger and Storehousekeeper to the said Wharf and Storehouses, which said Officer shall give sufficient Security in the Name of the Lord Proprietary of this Province, in the Sum of One Hundred Pounds Current Money, for the true and faithful Discharge of his said Office, according to the true Intent and Meaning of this Act hereafter expressed, and to secure the People living at a Distance, as well as those in or near the said Town, to have their Grain and other Commodities safely and securely stored, at reasonable Rates, and have utmost Assurance of punctual and honest Dealing.

A Wharf-
inger and
Storekeeper
to be
appointed.

Be it Enacted by the Authority aforesaid, That the said Commissioners shall provide for the said Officer, out of the public Money,

Measures
also to be
provided.

Session Laws sufficient, sealed, and exact Measures, as used in this Province, and that the said Officer shall give due Attendance at the said Wharf and Storehouses, and shall receive therein all such clean and merchantable Grain and Commodities as shall be brought there to be stored, which he shall endeavor as much as he can to keep in separate Parcels: But whereas he may be often obliged to mix the Grain belonging to several People, the said Officer shall use his utmost Skill in examining the Grain so brought in at different Times, and shall not receive into the said Storehouse any Wheat, or other Grain, that shall not be sufficiently clean, sound, and merchantable.

Receipts to be given for Goods lodged in the said Storehouse. *And be it also Enacted by the Authority aforesaid,* That the said Store-keeper shall give all Persons lodging any Grain, or other Country Produce or Commodities, in the said Storehouse, authentic Receipts for the same, and that the said Receipts shall be transferable, and being legally indorsed or assigned, shall oblige the said Store-keeper to deliver to the Indorsee or Assignee, without Delay, the Goods or Commodities in the said Receipt mentioned, they paying Storage for the said Goods or Commodities as is hereafter rated and expressed, and no more.

Shrinkage allowed on goods lying more than 3 Months. *Provided nevertheless,* That for any Wheat or other Grain, measured into the said Storehouse, and lying therein above Three Months, the said Storekeeper shall be allowed one *per Cent.* on the Delivery thereof, for Shrinkage or other Waste, on the said Grain, and for the Encouragement of Persons trading to the said Town, and for the Credit of the Manufacture of Wheat shipped therefrom,

A Viewer of Flour to be appointed. *Be it also Enacted by the Authority, Advice, and Consent aforesaid,* That as soon as the said Officer or Storekeeper, shall be appointed as aforesaid, or at such other Times as the said Commissioners shall see necessary, to appoint a Viewer or Examiner of Flour, and after one Month's publick Notice of the same, that no Flour shall be shipped off from the said Town, but what shall be carefully viewed and branded by the said Officer (for which Purpose a public Brand-Iron shall be provided by the Commissioners), who shall on his entering the said Office, make Oath before one Provincial or County Magistrate, that without Favour, Partiality, or Respect of Persons, he will use his best Skill and Knowledge that no
 p. 22 Flour be passed or branded by him, without his viewing and examining the same; and that he will not brand, or cause to be branded, any Cask or Casks of Flour, that does not appear to the best of his Skill and Knowledge, to be in all Respects sufficiently clean, sweet, and merchantable, so as to be of equal Goodness and Fineness with the like Commodities usually exported from the neighbouring trading Colonies; for the viewing and branding whereof, he shall receive from the Owner or Owners thereof the Sum of Threepence Current Money, *per* Barrel, and no more.

And be it further Enacted by the Authority aforesaid, That after such Viewer and Examiner shall be appointed in Manner aforesaid, no Flour whatsoever shall be shipped off for Trade or Exportation, from any other Place or Landing on *North-East* River, but that all Flour from thence intended to be shipped off, shall be brought either by Land or by Water to the said Town, and be there viewed and branded by the Officer aforesaid, on Penalty of Forfeiture of the said Flour, or Value thereof, to be recovered in any County-Court of this Province, by Bill, Complaint, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed, one Moiety of which Forfeiture to be paid to the Informer, the other Moiety to be paid to the Commissioners, or the major Part of them, for the Time being, to be applied towards the building, repairing, and maintaining the said public Wharf and Warehouse, and to be accounted for as abovesaid.

Session
Laws
No Corn to
be shipped
from *North-
East* River,
except from
this Town.

And be it further Enacted, That any Person or Persons bringing Flour to the said Town, to be viewed and examined as aforesaid, which shall prove on Examination thereof to be unmerchantable, according to the Intent and Meaning of this Act, the said Officer shall not brand the same, but cause it to be marked on the Head or Bulge with the broad Arrow, or secure it for a further Examination if required, which the Owner shall demand and receive from the Owner or Owners thereof the same Rate and Price, as if he put the Brand thereon: *Provided,* That when any Person or Persons shall think him, her, or themselves aggrieved, through the Judgment or Want of Skill of the said Officer, it shall and may be lawful for him, her, or them, to apply to one or other of the said Commissioners, who shall at the Charge of the said Complainant issue Summons to two or more indifferent Persons well skilled in the said Manufacture, to review and examine the same, which if they shall pass and declare to be merchantable, then the said Officer shall raze out the broad Arrow, and put the Brand on the said Flour, and repay the said Cost; but if on such Review, the Judgment of the said Officer is confirmed, then the said Owner or Owners of such Flour shall, besides the said Cost, forfeit and pay one Shilling Current Money *per* Barrel, to be recovered before a single Magistrate, and to be paid to the Commissioners, to be applied as aforesaid.

Flour not
merchant-
able to be
mark'd.

Proviso.

And be it further Enacted, That it shall not be lawful for any Person or Persons to export the said Flour so marked with the broad Arrow, nor any other Cask or Casks of Flour not examined and branded as aforesaid, out of the *North-East* River, on Pain of Forfeiture of Five Shillings Money aforesaid a Barrel, for every Barrel so put on board of any Ship or other Vessel, for such Exportation, to be recovered and applied as abovesaid.

Such Flour
not to be
exported.

p. 23

And be it further Enacted, That all Flour and Bread that shall be shipped off from the said Town, shall be bought and sold by the Long

Flour &c. to
be sold by
the Long
Hundred.

Session Laws Hundred, or Hundred Weight of One Hundred and Twelve Pounds; and that the Commissioners shall provide for the said Officer sufficient Weights and Scales for that Purpose, where any Person suspecting the Invoice of the Weights of Flour by them bought, or brought to the said Warehouse, may have them justly and truly weighed (if desired), for which Weighing and a true Invoice or Account thereof, the said Storekeeper shall be paid one Penny Currency *per* Barrel, and no more.

Casks to be tared on the Bulge. *And be it further Enacted*, That all Flour, Bread, and other Cask in which any of the Country Produce aforesaid is contained, or intended to be sold or shipped off, shall be packed in well-seasoned Casks, and be justly and truly tared on the Bulge thereof, on the Penalty of one Shilling Currency; and every Barrel or Cask that shall appear on Trial to be tared above Four Pounds over and above it's just and true Weight, shall forfeit the Sum of Five Shillings Money aforesaid, to be recovered from the Owner or Seller of the said Casks, in the Manner aforesaid, to the Uses aforesaid.

Rates of Storage to be moderate and reasonable. And whereas it is the Intention of this Law, that the Storage and Wharfage should be most low and reasonably rated, so as to give Encouragement and Satisfaction to all concerned, intending only to raise a reasonable and moderate Salary or Reward, to engage an able and sufficient Person to take on him the faithful Discharge and Management of the said Trust, and for the necessary Repair and Expences in and about the Wharf and Storehouse aforesaid: And whereas it is at present difficult to ascertain what Storage and Wharfage for Goods would be for that Purpose sufficient, therefore it may be necessary that some Persons may be trusted at present with the Settlement thereof, in the most reasonable Manner, to answer the Intention abovesaid; *Be it therefore Enacted by the Authority aforesaid*, That the Commissioners herein appointed, be hereby authorized and impowered to set moderate and reasonable Rates of Storage and Wharfage, for all Goods, Wares, and Merchandizes that shall be stored in the said Storehouse or Storehouses, or landed and shipped off from the said Wharf; and which Rates they shall cause the said Storehousekeeper to have and keep, to shew to all Persons requiring the same, and to fix a Copy thereof to remain on the Door of the said Storehouse; and that the said Commissioners, or the major Part of them, shall have Power to lessen the said Rates at any Time by them set, when by Increase of Trade, or otherwise, it shall appear to them necessary.

Wharf to be kept clear as possible. *And be it Enacted by the Authority, Advice, and Consent aforesaid*, That the said Wharf shall be kept as clear as possible from being incommoded by the long lying of Staves or other Lumber thereon, and that no such Lumber shall be suffered to lie thereon longer than Six Days, without Permission of the said Wharfinger, or two of the Commissioners aforesaid; but that the Persons owning the same, after Notice given by the said Wharfinger, shall remove

the same in three Days after such Notice, on Penalty of Five Shillings Money aforesaid, to be recovered before a single Magistrate, to be applied to the Uses aforesaid.

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Laws
p. 24

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, for the Time being, shall have Power to apply and set apart any Part of the public Squares or Vacancies, to the Use of any religious Society or Persuasion, for the building thereon any House or Houses for public Worship, and to such other public Uses as to them, or the major Part of them, shall appear to be for the Interest, Profit, and Conveniency of the Inhabitants of the said Town; and shall also have Power to lease any Part or Parcels of the said Squares or Vacancies, laid out and reserved for public Uses, for any Term not exceeding Twenty-one Years, or Three Lives, for an annual Rent, and shall not otherwise alienate any of the said Squares or Vacancies; all which Rents and Profits so arising, the Commissioners shall from time to time account for in the Manner herein before expressed, to be applied to the Use of the Public of *Charles-Town* aforesaid.

Public
Vacancies
and Squares
how to be
dispos'd of.

And to the end that Timber may be preserved for the public Use, such as fencing in all or Part of the Common, the raising of the Wharf, or other public Occasions; *Be it also Enacted,* That the Commissioners, or the major Part of them, are hereby impowered, if they see Cause, to mark or lay out in the Common of *Charles-Town* aforesaid, the Quantity of One Hundred Acres, which shall appear to them to be best timbered and convenient; and that no Timber or other Trees growing or standing within the Bounds thereof, above the Girt of Eighteen Inches, to be taken or measured at the Height of three Foot from the Ground, shall be cut down by any of the Inhabitants of the said Town, or others, without Leave of the said Commissioners, or the major Part of them, on the Penalty of Ten Shillings Money aforesaid for every Tree so cut down, to be recovered before a single Magistrate of said County; one Half of which Forfeiture to be paid to the Informer, the other Half to the Commissioners, to be applied and accounted for as abovesaid.

Timber for
public Uses,
how provided.

And whereas, notwithstanding the Plenty of Timber near the said Town, and the great Conveniencies of Forges, for the Encouragement of building Sea-Vessels and others, and thereby settling in the said Town many useful Tradesmen and Labourers; yet for want of sufficient Depth of Water near the Shore, within any Part of the Bounds of the said Town and Common, the Proceeding in that useful and necessary Branch of Trade is altogether impracticable; and whereas in the Opinion of skilful Workmen, there is but one Place near the Boundaries of said Town, called *Seneca Point*, at present possessed by a certain *Edward Oldham*, fit and capable for launching Ships or other Vessels; if a Property was to be had thereto, so as not to be left to the Will of any Person to frustrate so public a Good;

Seneca Point the
only Place
where Ships
can be
launched.

Session Laws
Said *Seneca*
point to be
purchased
for a Ship-
Yard.

Be it therefore Enacted, That the Commissioners for said Town are hereby impowered to fix upon any Place at or near said *Seneca Point*, convenient for a Ship-Yard to the said Town and Common, and to agree for two Acres of Land with the Owner or Owners thereof, which if they cannot do upon reasonable Terms, then they shall cause a Jury in the usual Manner to be summoned and impanelled by the Sheriff, to value the said Land; which Value so assessed the said Commissioners shall tender and pay the said Owner or Owners, out of the public Money collected and belonging to the Public of said Town; and the said two Acres of Land shall for ever be deemed to belong to the Public thereof: In Satisfaction whereof, all Persons building any Ship or other Vessel on the said Ground, above the Length of Twenty Foot Keel, shall pay to the Commissioners for the public Use of the said Town, such Sum as shall be thought necessary, not to exceed Six pence Current Money *per* Ton, for License to build any such Ship or other Vessel thereon: And that the Commissioners, or the major Part of them, have also Power to lay out a convenient Cart-Road to the said Ship-Yard, so as to do the least Damage they possibly can to the Owner of said Land, and which Road shall be always kept open and free for the Use of the said Ship-Yard. And to continue a Succession of the said Commissioners, for the good Order and Regulation of the said Town and Trade thereof,

Commis-
sioners
dying or
neglecting
to act, others
to be chosen
by the rest.

Be it Enacted by the Authority, Advice, and Consent aforesaid, That when and as often as any of the said Commissioners shall die, or depart this Province, or shall refuse or neglect to act in the Execution of this Act, then and in any such Case it shall and may be lawful for the said Commissioners, or the major Part of them, to meet at the said Town, on the Tenth Day of *May* next ensuing such Death or Removal, and appoint such other Person as they shall think fit, to be Commissioner in the Room of him so dead, removed, or neglecting to act as aforesaid.

Proviso. *Provided*, That at what Time soever it shall be made appear to the said Commissioners, or the major Part of them, for the Time being, that there are the Number of Twenty fixed and settled Inhabitants; capable by Land or Estate to vote for a Burgess, according to the Qualifications of the Laws now in being, actually dwelling and residing in said Town, that then it shall be lawful for the said Commissioners, and they are hereby directed and required, on all such Occasions that shall thereafter happen, to meet at *Charles-Town* aforesaid, on the Tenth Day of *May* next after such Vacancy shall be, and then and there by Vote of the said Inhabitants of *Charles-Town*, so qualified as abovesaid, to choose or elect one other Person or Persons, to serve as a Commissioner in the Room of him or them so dead, removed, or neglecting as aforesaid; and which said Person or Persons, so chosen or elected by Majority of such Votes, shall be a Commissioner, and be authorized to put this Law in Execution in

all Respects, and to all Intents and Purposes, as any other Commissioner herein named is authorized to do.

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Laws

Be it also Enacted, That the said Commissioners be, and are hereby directed and impowered to meet at the said *Charles-Town*, on the Tenth of *May* yearly, and oftener as Occasion shall require, to view, regulate, and perpetuate the Boundaries of the several and respective Lots and Town, according to the true Intent and Meaning of the Return of the Survey-Plat, and Certificate thereof; and from time to time, as they shall see Cause, to inspect and enquire into the Proceedings and Management of the said Wharf and Storehouse, at said *Charles-Town* to be built and raised, in order to prevent and restrain all Irregularities and Impositions that may there happen.

Time of
Meeting of
the Commis-
sioners.

p. 26

And whereas, the present Inhabitants of *Charles-Town* aforesaid have already of their own Accord published a Fair, which was held at the said Town on the Tenth Day of this present Instant *May*, whereat great Numbers of People did meet; and whereas the adjacent Country produceth many useful Commodities, which brought to such Fair or Fairs to be sold, might be of Benefit and Advantage to the Trade and People of this Province, if the Time and Manner of keeping such Fair or Fairs were under due Regulations; *Be it therefore Enacted by the Authority aforesaid*, That it shall and may be lawful for the said Commissioners to appoint Two Fairs to be held at the said Town, to wit, to begin on the Twenty-third Day of *April*, and the Eighteenth Day of *October*, yearly, not being Sunday, otherwise to begin on the Day following, and to continue the said Fairs not more than Three Days each, Sundays exclusive; and that during such Continuance of the said Fair or Fairs, all Persons within the Bounds of said Town and Common shall be privileged from all Arrests, except for Felony and Breach of the Peace; as also all Persons coming to or returning from the said Fair or Fairs, have the like Privilege for one Day before and after the same. And the said Commissioners have also hereby Power and Authority, to make and appoint such good Rules and Orders, to be observed in holding the same, as may tend to prevent all Disorders and Inconveniencies that may therein happen.

Time of
holding
Fairs.

Privileges
allowed to
Persons who
come to said
Fairs.

And be it also Enacted, That the Commissioners aforesaid may employ some Person, if Occasion should be, to register their Proceedings, at their appointed or annual Meetings, at *Charles-Town* aforesaid; and that they are hereby impowered to pay the said Register, or Person by them employed for that Purpose, out of the Fines and Forfeitures, or other public Money, so as the Expence thereof do not exceed Five Pounds in any one Year.

Commis-
sioners may
appoint them
a Register,

And whereas *John Veazy*, the present Deputy-Surveyor of *Cecil* County, has not only been at extraordinary Trouble, in surveying

Allowance
to be made
for the
Deputy-
Surveyors.

Session Laws and laying out the said *Charles-Town*, but likewise hath been obliged to pay several Sums of Money to Chain-bearers, and other Labourers, and his own necessary Expences, to the Value of more than the Allowance made to him, by the Act for laying out the said Town; *Be it therefore Enacted*, That the Justices of *Cæcil* County aforesaid shall, and are hereby enabled and required, at the Laying of the next Levy, to tax and levy the Sum of Two Thousand Pounds of Tobacco, on the taxable Inhabitants of the said County, with the Sheriff's Commission thereon, which Sum of Two Thousand Pounds of Tobacco, so levied, shall be paid by the Sheriff of said County to the said *John Veazy*, for his Services and Expence aforesaid.

Two Persons joining their Names for one Lot, how to proceed. And whereas the small Number of Lots, directed to be laid out in *Charles-Town* aforesaid, were not sufficient to accommodate the great Number of Persons appearing willing to enter, and pay for the same, whereby great Numbers (to prevent Contests) were obliged and willing to join two of their Names to one Lot, to be divided between them; to prevent therefore the Trouble and Charge of executing and recording Deeds or other Instruments, as may by reason thereof be occasioned, *Be it therefore Enacted*, That all such
 p. 27 Persons, who on the Day of Ballotting for the Lots in *Charles-Town* aforesaid, entered two of their Names for one Lot, Reference being had to the Clerk's Entry on that Day made and taken, may at any Time, within Twelve Months after the End of this Session of Assembly, have Liberty to enter with the said Clerk, such equal Division, or distinct Moiety of such Lot or Lots, as shall be agreed on by the said two Parties; which Agreement or Division the said Clerk shall enter on the Record-Book, to be kept for said Town, and shall receive for each Entry One Shilling; and such Entry or Record made by the said Clerk in the Book aforesaid, and both or either of the Parties performing the Requisites required for saving Lots by the Law, for *Charles-Town* aforesaid, shall have such Lot, and transfer to each of the said Persons a Property to their respective and distinct Moiety, so agreed on and entered as aforesaid, in as ample Manner as in the former Law is directed, for giving and securing Title to Persons taking single or whole Lots.

Rev. Mr. *Wye* exempted from Forfeiture. *And be it also Enacted*, That the Reverend Mr. *William Wye*, having at the Balloting aforesaid made Purchase of a Lot in said *Charles-Town*, he is hereby exempted from forfeiting the said Lot, although not built thereon; any former Law to the contrary notwithstanding.

This Act to continue for Seven Years, from and after the End of this Session of Assembly, and unto the End of the next Session of Assembly which shall happen after the End of the said Seven Years.

An Act to enable certain Commissioners therein named to lay out Forty Acres of Land into Eighty Lots, for a Town on *Indian River*, in *Worcester County*; as also Forty Acres of Land into Eighty Lots, at the Head of *Asseteague Creek*, at a Place commonly called the *Trapp*, for a Town.

Session
Laws
Chapter
XXIII.
[Supple-
mentary
Acts are
1745 Ch. 30
and 1747
Ch. 12]
Preamble.

Whereas, it is represented to this General Assembly, by the Inhabitants of *Worcester County*, that there are Two very good and convenient Places for Towns, in *Worcester County*, the one situate on *Indian River*, at *John Massey's* and *Thomas Eydolat's* Dwelling Plantations, on the said River; and the other situate at the Head of *Asseteague Creek*, at a Place commonly called *Trapp*, very commodious and well situated for Trade and Commerce: And in as much as those Parts of the said County, contiguous to the said Situations, are destitute of Center for Trade, and that by encouraging Settlements there, the Inhabitants may be the better enabled to repel any Enemy's Landing on the Sea-Side of the said County.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Capt. John Purnell, Capt. Thomas Robins, Col. John Henry, Capt. Parker Selby, Mr. John Miller, Mr. Joseph Miller, and Major Samuel Hopkins, shall be, and are hereby appointed Commissioners for Worcester County aforesaid, and are hereby authorized and impowered as well to buy Forty Acres of Land at each of the Places aforesaid, where it shall appear to them, or the major Part of them, to be most convenient for the Towns aforesaid, as to survey and lay out, or cause the same to be surveyed and laid out, in the best and most convenient Manner, into Eighty Lots, in each of the Towns aforesaid so to be erected.

Commis-
sioners
appointed.

p. 28

And be it further Enacted, That the Commissioners aforesaid, before nominated and appointed, or the major Part of them, are hereby impowered and required, at some Time by them, or the major Part of them, to be appointed, before the last Day of November next after the End of this present Session of Assembly, to meet together on the Lands aforesaid, or at some other Place near and convenient thereto, and then and there treat and agree (if the same can be done upon reasonable Terms) with the Owner or Owners, or Person or Persons, interested in the said Eighty Acres of Land so to be laid out into the Towns aforesaid, for the Purchase thereof. And if it shall happen that the said Owner or Owners, Person or Persons, will not agree with the said Commissioners, for such Rate or Price as they the said Commissioners, or the major Part of them, shall think reasonable, or shall refuse to make Sale of the same; or that through Non-age, Coverture, or any other Disability or Impediment, shall be disabled to make such Sales, that then and in any such Case the Commissioners aforesaid, or the major Part of them, shall

Duty of said
Commis-
sioners.

Session Laws and are hereby impowered and required to issue a Warrant under their Hands and Seals, directed to the Sheriff of *Worcester* County aforesaid, for the Time being, commanding him to summon and impanel a Jury of Twenty-four good and lawful Men, Freeholders of his Bailiwick, to be and appear at a Day or Days, Place or Places, in such Warrant to be mentioned; which Sheriff is hereby required and obliged to execute the same, and that Jury being by the said Commissioners charged and sworn, shall upon their Oath enquire, assess, and return what Damages or Recompense they shall think fit to be paid and given to such Owner or Owners, Person or Persons, for the Forty Acres of Land, in each of the said Towns; and whatever Sum or Sums of Money the Jury shall so assess and award, shall and is hereby declared to be the Value and Price to be paid to such Owner or Owners, Person or Persons, interested in each of the said Forty Acres of Land aforesaid.

They are to lay out the Lots in said Towns. *And be it further Enacted by the Authority, Advice, and Consent aforesaid,* That after the Agreement and Purchase of the Commissioners aforesaid, or after the Assessment and Return of the Jury aforesaid, as the Case shall happen, the aforesaid Commissioners, or the major Part of them, shall, and are hereby required to cause the same Forty Acres of Land, so to be laid out into each of the Towns aforesaid, to be carefully surveyed, divided, and laid out by the Surveyor of the County aforesaid, or such other Person as they, or the major Part of them, shall make choice of and appoint for that Purpose, in case the said Surveyor shall neglect or refuse to attend, as near as conveniently may be, into Eighty equal Lots, allowing such sufficient Space or Quantity thereof, for Streets, Lanes, and Alleys, as to them shall seem meet; and the same Lots so laid out in each of the Towns aforesaid, shall number with the Numbers One, Two, Three, and so to Eighty, for distinguishing each Lot from the other, and shall cause the Streets, Lanes and Alleys in each of the Towns aforesaid, to be named and distinguished by certain Names, and by Posts or Stakes to be set up towards each of them.

Commissioners to value the several Lots. *And be it further Enacted,* That the Commissioners aforesaid, or the major Part of them, shall, and are hereby required to assess, set, and ascertain the Price to be paid for each of the Lots aforesaid, in each of the Towns aforesaid, according to the Value, Conveniency, and Situation thereof, so always that the Prices of all the same Lots in each of the Towns aforesaid added together, may amount to the Sum by them agreed for, or awarded by the Jury, for the said Forty Acres of Land, in each of the Towns aforesaid, and no more; and that the aforesaid Forty Acres of Land, in each of the Towns aforesaid, being so surveyed, laid out, and divided, shall be, and are hereby erected into Towns, and that the Town to be situated on *Indian River*, on *John Massey's* and *Thomas Eydolat's* Dwelling Plantations, shall be called by the Name of *Baltimore-Town*; and that the Town to be situated at the Head of *Asseteague* Creek, at a

Place commonly called *Trapp*, shall be called by the Name of *Newport-Town*. Session Laws

And be it further Enacted, That the Owner or Owners of the aforesaid Land shall and may have his, her, or their Choice of any Two of the Lots aforesaid, in each of the said Towns, to be by him, her, or them retained for his, her, or their proper Use. Owners of the Land to have Choice of any Two Lots.

Provided such Choice shall be made and declared to the Commissioners aforesaid, or the major Part of them, within Ten Days after the Surveys aforesaid, or either of them, shall be made and compleated, and not otherwise; and that after such Choice is made, or in case no such Choice shall be made, within Ten Days aforesaid, then after the Expiration of the same Ten Days, all Persons whatsoever shall be at Liberty to take up and purchase the same Lots in each of the Towns aforesaid, paying the Owner or Owners aforesaid, or others therein interested, the Price or Value thereof, so as aforesaid set and assessed by the Commissioners aforesaid; and that every Person who shall pay as aforesaid, the Price of the Lot by him or her taken up or chosen, or shall prove to the Satisfaction of the said Commissioners, or the major Part of them, that he or she had tendered or offered to pay the said Price to the Owner or Owners aforesaid, and that such Owner or Owners had refused to accept or receive the same, and an Entry of such Payment or Tender, and Refusal being made according to the Directions hereafter mentioned, such Person shall and is hereby declared to be, by Virtue of such Payment or Tender, and Refusal, and Entry thereof made as aforesaid, and this Act, fully and absolutely invested and seized of and in an Estate of Inheritance in Fee-Simple, of and in such Lot to him or her, and his or her Heirs or Assigns, for ever, without any Deed, Conveyance, or other Transfer, from such Owner or Owners for the same; any Statute, Law, Usage, or Custom to the contrary notwithstanding. Proviso.

Provided always, That it shall not be lawful for any Person to take up, enjoy, have, or possess more than one of the same Lots, within Twelve Calendar Months after the same are divided and laid out as aforesaid. Proviso.

Provided also, That all and every the Person and Persons aforesaid, so taking up the Lots aforesaid, or any of them, in either of the said Towns, shall and are hereby obliged and required, within Three Years after they shall take up their respective Lots as aforesaid, and Entry thereof made as aforesaid, to erect, build, and finish thereon One good substantial and tenantable House, with one Brick or Stone Chimney thereto, that shall cover not less than Four Hundred square Feet of Ground, exclusive of Sheds; and that all and every of such Taker or Takers-up, who shall neglect to build as aforesaid on their respective Lots aforesaid, within the Time herein for that Purpose limited and appointed, shall lose such Lot; and the p. 30
Proviso.

Session Laws Estate of such Taker-up so neglecting as aforesaid, shall from thenceforth cease and determine; and such Lot or Lots so neglected to be built upon shall be subject to be again taken up by any other Person whatsoever; which second Taker-up paying the Commissioners aforesaid the Price thereof, so as aforesaid assessed, and Entry thereof made as aforesaid, and building thereon as before directed, within the Time before limited, after such second Taking-up, shall have the like Estate in such Lot or Lots as the first Takers-up, who shall comply with all the Requisites beforementioned, are herein before declared to have, and so *toties quoties* until the same Lots shall be built on and improved as aforesaid.

Money arising from the Sale of forfeited Lots, how to be applied. *And be it further Enacted*, That the Money as aforesaid directed to be paid to the Commissioners aforesaid, for the Lots not built upon and improved by the first or other Takers-up, within the Time herein limited, shall, and is hereby directed to be applied to such Purposes, for the Use and Benefit of the said Towns respectively, as to the Commissioners, or the major Part of them, shall seem meet.

Plats and Surveys of the said Towns to be made. *And be it further Enacted by the Authority aforesaid*, That the Surveyor of the County aforesaid, or other Person whom the Commissioners aforesaid, or the major Part of them, shall appoint, in case the said Surveyor shall neglect or refuse to attend, to survey and lay out the Land aforesaid, as before herein directed, shall make out fair and exact Plats of the Towns aforesaid, and Surveys thereof, whereby each Lot, Street, Lane and Alley therein may appear, to be well distinguished by their respective Numbers and Names, and the same Plats, with full and plain Certificates thereof, shall deliver to the Commissioners aforesaid, or the major Part of them, to be entered and repositied as hereafter directed; and that the Surveyor or other Person appointed as aforesaid, in case the said Surveyor shall neglect or refuse to attend, shall have and receive for surveying and laying out the Towns aforesaid, the Sum of Two Thousand Pounds of Tobacco, to be paid and allowed him in the County Levy, and no more.

Commissioners to choose a Clerk. *And be it further Enacted by the Authority aforesaid*, That the Commissioners aforesaid, or the major Part of them shall, and are hereby required to employ some sufficient Person for their Clerk, and shall administer an Oath to such Clerk, for the due Performance of his Office; which Clerk shall, and is hereby obliged to find and provide a good well-bound Book, for registering and entering the Proceedings of the said Commissioners in the Premises, and shall duly and faithfully register and enter in such Book the Certificates of the Surveys aforesaid, and all other the Transactions and Proceedings of the said Commissioners whatsoever, in and about the Towns aforesaid; which said Registry, together with the Plats and Surveys of the same Towns, shall be carefully examined and inspected by the aforesaid Commissioners, or the major Part of them, and after the same is compleated, shall be lodged with, and delivered

to the Clerk of the same County, to be by him kept amongst the Session Records of the same County. Laws

And be it further Enacted, That the said Commissioners, or the Clerk's Fees. major Part of them, shall limit and ascertain what Fees their Clerk aforesaid shall take and receive for the several Services by him to be done by Virtue of this Act, to be paid by the several Persons taking up the Lots as aforesaid.

And be it further Enacted by the Authority aforesaid, That all Land-Rent and every Person and Persons taking up and possessing the Lots to be paid aforesaid, or any of them, shall be, and are hereby obliged to pay for each Lot. unto the Right Honourable the Lord Proprietary, his Heirs or Assigns, the yearly Rent of One Penny Sterling, for each respective Lot in the said Town, by them so taken up and possessed, to be paid in the same Manner as his Lordship's Land-Rents of this Province now are, or hereafter shall be paid.

An Act for Dividing *Allhallows* Parish, in *Worcester* County, and Chapter for Erecting a Parish out of the same, called by the Name of XXIV. *Worcester* Parish.

Whereas, it is represented to this present General Assembly, by Preamble. the upper Inhabitants of *Allhallows* Parish, in *Worcester* County, that the said Parish is very large, and the Parish Church and Chapel are at so great Distance from many of the Parishioners, that it is not in their Power to tend the Worship and Service of God: It is prayed that it may be Enacted,

And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Death or Translation, which shall first happen, of the Reverend *Patrick Glasgow*, the present Incumbent of the said Parish, all that Part of *Allhallows* Parish, beginning at the Mouth of *Newport* Creek running out of the Sea, and running by and with the said Creek and a Branch thereof, to the main Road to a Place called *Buckingham*, and from thence down the main Road which leads to *Snow-Hill* about a quarter of a Mile until it comes to another main Road, striking out of the aforesaid Road, which goes between the Plantations of Mrs. *Mary Hampton* and Mr. *Brickus Townsend*, and Bounded therewith, as now laid out by Order of Court, until it intersects *Pocomoke River*, all to the Northward and Eastward of the Bounds aforesaid, which was contained in the Parish of *Allhallows*, shall be, and is by this Act, separated, constituted and erected, and made into a Parish, to be called by the Name of *Worcester* Parish, from and after that of the Division of *Allhallows* Parish. p. 32

the two Contingencies aforesaid, which shall first happen, by virtue of this Act, shall be deemed, adjudged, reputed and taken for *Worcester* Parish, and not as part or parcel of *Allhallows* Parish aforesaid:

Session
Laws And the Inhabitants of the said *Worcester* Parish, shall have and enjoy all Benefits and Privileges, Powers and Authorities, in every respect, equal with any Inhabitants of any other Parish within this Province. And further giving to the Freeholders of *Worcester* Parish aforesaid, at a certain Day to be by them appointed, after the falling of either of the said Contingencies, which shall first happen, full and ample Power to elect and make choice of the number of Six select Vestry-men and Two Church-wardens, and the same to alter and renew at such Times and in such Manner as former Laws of this Province do direct; any thing herein contained to the contrary thereof in any wise notwithstanding.

Chap. XXV. An Act for laying out the Town a-new commonly called *Upper-Marlborough* Town, in *Prince-George's* County.

Preamble. Whereas, several of the Inhabitants of *Upper-Marlborough* Town, and other Inhabitants of *Prince-George's* County, have by their Petition to this General Assembly set forth, that the Bounds of the said Town, and Lots therein, are so obscure, that the same are scarcely known by the Owners, or others, which in Time may be very prejudicial to them, and prevent the further Settlement of the said Town, which lies very commodious for Trade and Commerce; wherefore they humbly pray, that an Act of this General Assembly may Pass, to lay out a-new the said Town, containing One Hundred Acres of Land, as near as may be to the original Bounds thereof, without injury to the Improvements therein already made, or to a piece of Meadow Ground already much improved by Mr. *Daniel Carroll*, one of the Proprietors thereof.

Commis-
sioners
appointed. *Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Mr. Turnor Wootton, Mr. James Weems, Mr. Thomas Clark, Mr. Thomas Gaunt, senior, Mr. Richard Keane, Mr. William Murdock, and Mr. Thomas Harwood, be, and are hereby appointed, Commissioners, and are by virtue of this Act, authorized and impowered to survey and lay out the same One Hundred Acres of Land, formerly laid out for a Town, under an Act of Assembly of this Province, begun and held at the Town and Port of Annapolis, the Second Day of April, Annoque Domini, Seventeen Hundred and Six, by the Name of Upper-Marlborough, as agreeable as it conveniently may be to the original Survey, without incommoding the present Settlements, and exclusive of the piece of Meadow Ground lately drained by Mr. Daniel Carroll, one of the Proprietors of said Town.*

And be it further Enacted, That the said Commissioners, or the major Part of them, be, and are hereby impowered and required, at
p. 33 any Time, by them the said Commissioners, or the major Part of

them, to be appointed, before the last Day of *June* next ensuing this present Session of Assembly, to meet at the said Town, and call and take to their Assistance the Surveyor of *Prince George's* County, or such other Person skilful in Surveying as the said Commissioners, or the major Part of them, shall think fit to choose, and then and there proceed carefully to re-survey, and the aforesaid One Hundred Acres of Land, into as many convenient Lots as were heretofore in the said Town laid out, marked, and numbered One, Two, and so on to One Hundred, with the same Streets, Alleys and Lanes as formerly laid out in the said Town, provided they do not incommode the present Settlements.

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And be it further Enacted, That the said Commissioners shall cause the same Survey to be made as near as possibly they can agreeable to the original Survey of the said Town, and shall set up Posts, Stakes, or such other Boundaries, as to them shall seem meet, to settle and distinguish the same Survey for ever. Always having regard as near as may be to the original Survey thereof, and the Lots already Improved and Built upon.

Survey to be
made of
said Town.

And be it further Enacted, That the same Land so Surveyed, Laid out, and Distinguished, shall be, and is hereby, made and erected into a Town, and shall be called by the Name of *Upper-Marlborough* Town.

And be it further Enacted, That the Owners and Possessors of any of the Lots already taken up in said Town, not already built upon, or that shall hereafter take up any of the said Lots, shall and are hereby required to erect and build upon such Lot or Lots, within Three Years after the Survey to be made as aforesaid, and a Record thereof made and entered according to the Directions of this Act, One House that shall cover Four Hundred square Feet of Ground, with one good Brick or Stone Chimney at least; and if any such Owner or Owners of such Lot or Lots as aforesaid, shall neglect or refuse to build as aforesaid, that then and in such Case, the Right, Title, and Property of such Owner or Owners, to such Lot or Lots, at the Expiration of the said Three Years, shall cease and determine, and the Lot or Lots shall become the Property of the former Proprietors.

Brick or
Stone
Chimneys to
be built.

And whereas, several of the Lots that have now Dwelling-Houses built on them, in said Town, have only Wooden Chimneys, which are and will be very dangerous to several Settlements already made, and to be made in the said Town, by reason of their being subject to take Fire.

Be it therefore further Enacted, That the Owner or Owners of such Dwelling-House or Houses shall, and are hereby required to build Brick or Stone Chimneys to such House or Houses, within Twelve Months after the said Town shall be surveyed and laid out as aforesaid: And if any Owner or Owners of such Lot or Lots,

Penalty in
case of
Neglect or
Refusal.

Session shall neglect or refuse to build such Chimney or Chimneys as aforesaid, and using Fire in the said House or Houses, then and in every Laws such Case, such Owner or Owners shall forfeit and pay the Sum of Five Shillings Current Money, for every Month any Person shall dwell or use Fire in such House or Houses, without Chimneys as aforesaid, and so *pro rato* for a longer or shorter Time, to be recovered before a single Magistrate as in case of Small Debts, to be applied to the public Use of the Town, as the Commissioners aforesaid, or the major Part of them shall direct. *Provided*, That the p. 34 Owner or Owners of such Lot or Lots be not under Age, beyond the Seas, or out of this Province, at the Time of such Survey, Record, and Entry thereof as aforesaid, in either of which Cases such Owner or Owners shall have the Liberty to improve and build on the said Lot or Lots, according to the Directions of this Act, at any Time within One Year after such Owner or Owners arriving to his, her, or their Age of Twenty-one Years, or returning into this Province.

A Clerk to *And be it further Enacted*, That the said Commissioners, or the be appointed. major Part of them, shall and are hereby required and impowered to nominate and appoint some sufficient and skilful Person to be their Clerk, who shall make a fair Record and Entry of all the Proceedings of the said Commissioners, in a sufficient Book to be provided for that Purpose, to whom the Surveyor shall be obliged to deliver a fair Plat of the said Lots, to be surveyed as aforesaid; which Clerk and his Successors shall transmit to the Clerk of *Prince George's* County, the whole Proceedings of the said Commissioners, together with the said Plat, to be lodged amongst the County Records; which Proceedings the Clerk of the said County is hereby required to take Charge of.

Surveyor's *And be it further Enacted*, That the said Commissioners shall and and Clerk's are hereby impowered and required to ascertain what Fee or Fees Fees. the Surveyor aforesaid shall have for his Trouble in making the Survey aforesaid, and making and returning the Plat aforesaid; and also what Fee or Fees the said Clerk shall have, for entering the Proceedings of them the said Commissioners, and the several Services by this Act directed to be done, and transmit the same under their Hands, or the Hands of the major Part of them, to the Justices of *Prince George's* County-Court, which Justices are hereby required and impowered to tax and assess the same in the County Levy, which shall be next laid after such Transmission; and that upon Decease or Resignation of such Clerk as aforesaid appointed, it shall and may be lawful for the said Commissioners, or the major Part of them, to nominate and appoint a Clerk for the said Town, and so often as Need shall require.

And to the end that the said Town may not be hindered in it's Improvement, either by the Refusal of the original Proprietor or Pro-

prietors of the said One Hundred Acres, to sell any of the Lots therein to be laid out as aforesaid, or under a high and unreasonable Price, by which Means any Person may be prevented from purchasing the same, or by some Disability or Incapacity in such Proprietor or Proprietors, to convey the same; *Be it Enacted by the Authority, Advice and Consent aforesaid*, That it shall and may be lawful to and for the said Commissioners, or the major Part of them, to treat and agree with the Proprietor or Proprietors of the said Land, not already taken up, for the Price of the same, at any Time before the first Day of *October* next ensuing; and in case they make an Agreement for the Price with the Proprietor or Proprietors, that when the Lots shall be laid out, they set a Price on each Lot not already taken up or purchased, for which the Taker-up shall pay: But in case they cannot agree for the said Ground, that then they or the major Part of them, are hereby authorized, impowered, and required, Ten Days at least before the Day on which a Survey as aforesaid is directed to be made, to issue a Warrant unto the Sheriff of the said County, which said Sheriff is hereby authorized and required, upon Receipt, of such Warrant, to impanel and summon a Jury of Twelve substantial Freeholders, Inhabitants of the same County, to be and appear before the said Commissioners, or the major Part of them, at the same Town at a certain Day, being such Day on which the aforesaid Survey shall be made; which Jurors upon their Oath to them by such Commissioners, or the major Part of them, to be administred, who are hereby required and authorized to administer the same, shall enquire what Damages and Recompense ought to be awarded to the said original Proprietor or Proprietors of all such Lots as are not taken up and possessed by any Person or Persons other than such original Proprietor or Proprietors of the said One Hundred Acres, and the Payment of such Sum or Sums of Money or Tobacco, as such Lot or Lots as shall by the said Jury be adjudged worth to the Proprietor or Proprietors as aforesaid, or a Tender thereof by such Person or Persons who will be willing and desirous to take up such Lot or Lots aforesaid; and Refusal by such Proprietor or Proprietors, and such Payment or Tender and Refusal being duly proved, by the Oath of one or more lawful Witness or Witnesses, before Two Justices of the Peace for the said County, by the said Person or Persons intending to take up the same, and an Entry or Record thereof made by the Town-Clerk aforesaid, and returned by him to be lodged with the other Proceedings in the County-Court Office as aforesaid, shall give and make to such Person or Persons paying or tendering as aforesaid, an absolute Estate in Fee-Simple, in such Lot or Lots, such Person or Persons complying with the other Requisites in this Act mentioned; any Law, Statute, Usage or Custom to the contrary notwithstanding.

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Commis-
sioners to
agree with
the Proprie-
tors of
Lands, &c.

p. 35

What is to
be done in
case of the
Owners Re-
fusal of
Payment or
Tender.

And be it Enacted, That all Lots hereafter to be taken up, shall be built upon and improved as according to the before Dimensions, Lots taken up to be built upon.

- Session Laws within Three Years after the Taking-up of the same; which Lots so built upon by the Takers-up, or their Heirs or Assigns, and paid for, or Tender of Payment made as before provided, shall be the Right, Property and Estate of such Person or Persons so taking up, improving, and paying, their Heirs and Assigns for ever.
- Time allowed for taking up Lots. *And be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That all Persons minding to take up Lots in the Town aforesaid, shall have free Liberty to take up and enter the same for the Space of Two Years, to be computed from the Time of making up the same Survey; but in case all the Lots should not be taken up within Two Years after the Survey made, that then it shall revert to the former Proprietors.*
- Proviso. *Provided always, That the Proprietor of the remaining Land not taken up or held, shall have the Preference of taking up any one Lot he shall think fit, more than he or they have already improved upon, so that he make his Election within Four Days after the Survey aforesaid is to be made.*
- p. 36 *And be it further Enacted, That every Person who already hath, or hereafter shall take up, pay for, and build on any of the Lots laid out by Virtue of the Acts of Assembly, their Heirs and Assigns for ever shall be chargeable with, and liable to the Payment of One Penny Sterling Money for each Lot so taken up, paid for, and built on, to the Right Honourable the Lord Proprietary and his Heirs for ever; and that the Clerk of Prince George's County yearly transmit to his Lordship's Agent for the Time being, an Account of all the Lots taken up, paid for, and built on, according to the Directions of the said Act.*
- Meeting-house and School Lots not to be sold. *And whereas one Lot in the said Town had been heretofore bought and set apart for a Meeting-House, to the Use of the Dissenting Congregation there, and a Meeting-House thereon accordingly built, and one other Lot bought for the Building a School thereon; Be it Enacted by the Authority aforesaid, That the aforesaid Lot set apart for a Meeting-House as aforesaid, shall not be liable to be taken up or bought by any Person whatsoever, but shall be and remain for the Use of the Dissenting Minister officiating therein for the Time being, and Congregation aforesaid, in the same Manner, and to the same Purpose as the same was at first taken up, and built on aforesaid; and that the aforesaid Lot bought, taken up, and set apart for a School, shall not be taken up or bought by any Person whatsoever, but the said Lot, and the School-house, and other Houses and Appurtenances thereunto belonging, shall and is hereby declared to be vested in the Reverend Mr. John Eversfield, Col. Joseph Belt, Mr. John Magruder, Mr. Richard Keane, and Mr. David Crawford, for the use of the School to be there held and kept.*
- Visitors of the Free-School. *And be it further Enacted, That the same John Eversfield, Joseph Belt, John Magruder, Richard Keane, and David Crawford, and*

their Successors, be and are hereby appointed Visitors of the same School, and shall at all Times hereafter have, hold, and enjoy all and singular the Powers and Authorities, which the Visitors of the several Free-Schools within this Province do lawfully have, hold, and enjoy.

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And be it further Enacted, That when and as often as any of the Visitors aforesaid, shall remove from the County aforesaid, or shall otherwise become unable, or refuse to execute the Office of Visitor as aforesaid, that then and in every such Case, the other Visitors aforesaid, or the major Part of them, shall and are hereby enabled to meet, and choose one other Visitor in the Place and Room of such Visitor, dying, removing, refusing, or being unable as aforesaid, and so *toties quoties*, when and as often as the Case shall happen as aforesaid.

On Re-
moval, or
Refusal of
such Visi-
tors, others
to be chosen.

Provided always, That as well the Visitors herein named, as such Visitors which shall hereafter be chosen as aforesaid, shall in all things qualify themselves as the Visitors of the Free-Schools by the Laws of this Province are directed and obliged to qualify.

Proviso.

An Act empowering the Vestry-men and Church-Wardens of *King George's* Parish, in *Prince George's* County, to purchase Three Acres of Land in the said Parish, to build a Chapel of Ease on; and to empower the Justices of *Prince George's* County to levy on the taxable Inhabitants of the said Parish, in the said County, the Sum of Eight Hundred Pounds Current Money, for the Uses therein mentioned.

Chapter
XXVI.
p. 37

Whereas, the Rector, Vestry-men, and Church-Wardens and several other the Inhabitants of *King George's* Parish, in *Prince George's* County, have by their humble Petition to this General Assembly set forth, that a great Number of the Parishioners of the said Parish (being almost one Half) live at the Lower End of the said Parish, and far remote from the Parish Church, a Chapel of Ease was erected by a private Contribution, for their Conveniency, between the Branches of *Piscataway* and *Mattawoman*; which is now so gone to Decay, that it is not worth repairing, nor is the Land whereon it is built appropriated: And therefore humbly prayed that an Act may pass, empowering the Justices of *Prince George's* County-Court to levy on the taxable Inhabitants of the said Parish, a Sum not exceeding Eight Hundred Pounds Current Money, by Four equal and even Assessments, in order to enable them to purchase Three Acres of Land, in a convenient Place, to build a new Brick Chapel thereon, and which hereafter may be deemed a Chapel of the said Parish, to be supported, and when Need requires, to be repaired at the Charge of the Parish.

Preamble.

Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's

Vestry-men
and Church-
Wardens to
purchase the
Land for
said Chapel.

Session Governor, and the Upper and Lower Houses of Assembly, and the
Laws Authority of the same, That the Vestry-men and Church-Wardens of King George's Parish, in Prince George's County, or the major Part of them, be, and are hereby authorized and impowered to agree for and purchase Three Acres of Land, in the most convenient Place in the Lower Part of the said Parish, to cause a Brick Chapel to be built thereon; which said Chapel so to be built thereon, shall be constituted and deemed a Chapel of Ease of the said Parish, and for ever hereafter be supported and repaired at the Charge of the said Parish.

County Jus- And be it further Enacted by the Authority, Advice, and Consent
tices to levy aforesaid, That the Justices of Prince George's County Court, shall
the 800 l. and may, and they are hereby authorized and directed, on the Application of the Vestry-men and Church-Wardens of the aforesaid Parish, to assess and levy by Four equal and even Assessments, on the taxable Inhabitants of the same Parish, the Sum of Eight Hundred Pounds Current Money, to be paid by the Parishioners by the Tenth Day of April yearly; which said Assessments, so to be levied, shall be collected by the Sheriff of Prince George's County for the Time being, who is hereby authorized and required to collect the same; and shall have for such Collection after the Rate of Five Pounds
p. 38 per Cent. and the said Money, when so collected, shall be paid to the Vestry-men and Church-Wardens aforesaid, who are hereby authorized and required to apply the same to the Uses aforesaid.

Chapter An Act empowering Mary Stokes Widow and Executrix of Hum-
XXVII. phry Wells stokes late of Baltimore County Gentleman deceased
Liber to sell and dispose of the Lands and Tenements therein mentioned
B. L. C. to be sold for the Uses and Purposes thereby directed.
p. 310

Whereas Mary Stokes of Baltimore County Widow and Administratrix of Humphry Wells Stokes late of the said County deceased by her humble Petition to this present Session of Assembly set forth that a Certain John Stokes late of Baltimore County Gentleman died Siezed of a Considerable real Estate in this Province but was also Indebted unto a certain Philip Smith Merchant in London in a Considerable Sum of Sterling Money, that the aforesaid Philip Smith in the Year Seventeen hundred and thirty five (after the Death of the aforesaid John Stokes) sent his Son Philip into this Province with a full and ample Power of Attorney to settle and Adjust all the Affairs of the said Philip the Father within this Province and on the Arrival of the said Philip the Son with his aforesaid Powers he entered into an Agreement on Behalf of his said Father in pursuance of his said Powers with your Petitioners said late Husband Humphry Wells Stokes and a certain George Stokes both now dead (being the Sons and two of the Executors of the last Will and Testament of the aforesaid John Stokes and to whom the real Estate of

him the said John Stokes after his Death came by Devise or otherwise) to abate a considerable part of the Debt due from the said John Stokes to the said Philip the Father so as to reduce the whole demand to the Sum of thirteen hundred Pounds Sterling four hundred Pounds Sterling whereof was agreed to be paid to the said Philip the son for the Use of his said Father by a certain Jacob Giles as the Consideration Money for a Tract or Parcel of Land by him purchased by Consent of the Heir at Law and the Executors of the said John Stokes and also by Consent of the said Philip the Son on Behalf of his said Father and which Tract or Parcel of Land had by the said John Stokes in his life time been Mortgaged to the said Philip the Father as a Security for the said Debt and which Sum of four hundred Pounds was accordingly by the said Jacob Giles paid or secured to be paid to the said Philip the Son for the use of his said Father and the sum of nine hundred Pounds residue of the aforesaid Sum of thirteen hundred Pounds Sterling was by Agreement between the said Humphry Wells Stokes and George Stokes and the said Philip the Son for and on behalf of his said Father in pursuance of the Powers aforesaid to be discharged and paid in manner following that the said Humphry Wells Stokes and George Stokes should each of them pay to the said Philip the son for the use of his said Father in the Year Seventeen hundred and thirty Six one hundred Pounds Sterling and the further sum of three hundred and fifty Pounds Sterling each at five several Payments the first payment thereof to be made of Seventy Pounds Sterling on or before the first day of August which should then be in the Year Seventeen hundred and thirty seven and so Seventy Pounds Sterling on or before the first day of August which should be in the four respective succeeding Years the last Payment whereof was to be in the Year Seventeen hundred and forty one and for the securing the Payment of the aforesaid several Sums it was agreed that the said Humphry Wells Stokes and George Stokes were respectively to convey and make over by Mortgage unto the said Philip the Father his Heirs and Assigns a good and perfect Estate of Inheritance in fee Simple of in and to two thirds of a Tract of Land called Coheirs Lott lying in Baltimore County aforesaid containing seventeen hundred and ten Acres except One hundred Acres thereof sold by the said Humphry Wells Stokes to Aquila Paca and fifty acres thereof sold by him to Peregrine Frisby and also a Tract of Land called Monserada and also another Tract of Land called Hermans Town with the Surplus and Vacancy upon Condition and Provisoe that the same Deeds or Mortgages should be void on Payment of the several Sums of Money at the times and in the manner before mentioned with Covenants for Payment of the Money accordingly and also that the said Humphry Wells Stokes and George Stokes were to Execute a Bond or Bonds with a sufficient Penalty payable to the said Philip the Father conditioned for the true Performance of the Covenants in the said

Liber
B. L. C.

p. 311

Liber
B. L. C. Deeds of Mortgage to be Contained and in pursuance and performance of the aforesaid Agreement the aforesaid Humphry Wells Stokes did by a deed of Bargain and Sale make over divers Lands among which was part of the aforesaid Tract of Land called Monserada and Tenements and Executed a Bond in Seven hundred Pounds Sterling Penalty conditioned for the performance of Covenants and dated November seventeen hundred and thirty Six and it was by the said Petition further set forth, that the aforesaid Humphry Wells Stokes and George Stokes conceiving the same to be a Beneficial Bargain or Agreement on the part of the Estate of the said John Stokes and being apprehensive the said Philip the Son intended not to Comply therewith the same not having been fully perfected and compleated before the Death of the said Philip the Father whereby his Powers and authorities to his aforesaid Son Ceased and determined and to whom the aforesaid Philip the son and a certain William Chapman of Ann Arundel County Merchant took out Letters of Administration they the said Humphry Wells Stokes and George Stokes filed their Bill in Chancery against the said Philip the Son and William Chapman as Administrators as aforesaid in order to compel them to and also to Indemnify them on a Specifick Performance of the said Agreement in which said Cause it was proceeded until the aforementioned facts amongst others appearing it was amongst other things Decreed that so much of the said nine hundred Pounds as by Virtue of the said Agreement ought to have been paid and satisfied by each of the Complainants according to their respective Share and part thereof on the days and at the times now past mentioned in the said Agreement and which then remained unpaid should be paid and Satisfied by each of the Complainants according to their respective Share and part of the Payments mentioned in Such Agreement on or before the last day of July then next ensuing together with Interest for the same to be computed from the day or time on which such Payments ought to have been made to the time on which the same should be made and also that each of the Complainants should pay and Satisfy to the Defendants his and their respective Part and Share of so much of the said Sum of nine hundred Pounds as should be unpaid on the said first day of August by three equal Payments on the Several days and times thereafter that is to say on the first day of August which should be in the respective Years Seventeen hundred and thirty nine, Seventeen hundred and forty Seventeen hundred and forty one with one Years Interest on each Payment and for the securing the several Payments aforesaid it was further Ordered and Decreed that each of the Complainants should convey and make over to the Defendants by proper and Sufficient Deeds of Mortgage for a Term of five hundred Years the several Lands aforementioned in which said Mortgage a Covenant to pay the several Sums on the days according to the said Agreement should be incerted and each of the Complainants should exe-

cute a Bond with a sufficient Penalty payable to the Defendants conditioned for the true Performance of the Covenants in the Mortgage Deed that the aforesaid Humphry Wells Stokes departed this Life soon after the said Decree leaving behind him your Petitioner his Widow and Administratrix and one Son who is still a Minor of about twelve Years of Age and without having taken any other Step towards Executing or Complying with the same than the Payment to the said Philip Smith and William Chapman of the Sum of fifty four Pounds and ten Shillings Sterling and since whose Death your Petitioner hath made sundry Payments to the said Smith and Chapman amounting to two hundred and thirteen pounds nine Shillings and eight Pence which two Sums Amount together unto the sum of two hundred Sixty Seven Pounds nineteen Shillings and Eight Pence whereby the Ballance from the Sum under the said Decree still to be paid to the said Smith and Chapman by your Petitioner as Administratrix of the said Humphry Wells Stokes rested at One hundred and eighty two Pounds and four Pence Sterling besides Interest that the Personal Estate of the said Humphrey Wells Stokes being entirely exhausted by the aforesaid Payments and others in Debts of equal Nature made by your Petitioner since the Death of her said Intestate and your Petitioner having Reason to believe the said Smith and Chapman did design to revive the said Decree against your Petitioner and she conceiving it would be most for the Advantage of the said Estate and the aforesaid Minor the Heir thereto and no Prejudice to the said Creditors to sell and dispose of a part of the Real Estate so as aforesaid bound by the said Decree and with the Money arising thereby to pay of and Satisfy what of that Debt with Interest still remained unpaid, It was therefore humbly prayed that Leave might be Given to bring in a Bill enabling her notwithstanding the said Decree to sell and dispose of to the highest Bidder such part of the Tract or Parcel of Land aforesaid called Monserada as the said Humphry Wells Stokes was in his life time Seized of or entitled unto and his late dwelling House and Lot in Joppa in the said County and also a small Tract of Land near Joppa aforesaid belonging to the said Humphry Wells Stokes in his life time not exceeding one hundred Acres and that the Monies thereby arising or so much thereof as should be sufficient for that purpose should and might be used and applied towards payment of what Principal and Interest remained due to the said Smith and Interest remained due to the said Smith and Chapman as Administrators as aforesaid and that such Payment should and might be deemed and taken as a full Performance Satisfaction and Discharge of the aforesaid Decree Mortgages Lands and Tenements Bonds and other securities whatsoever by the said John Stokes in his Life time or by your Petitioners Intestate entered into or secured either to the said Philip Smith the Father or since his Decease to the said Philip the Son and William Chapman as Administrators as aforesaid and that

Liber
B. L. C.

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Liber the Residue of such Monies (if any) might be applied and secured to
B. L. C. and for the Minor to be paid him on his attaining to twenty one
Years of Age and to go as the Land so sold should have gone in
Case such Decree Deeds or Securities had never been made or in
such other manner and under such Restriction as to this present
General Assembly should seem meet And Whereas this General
Assembly is well Satisfied of the truth of the several Allegations con-
tained in the said Petition and the Prayer thereof being not only in
itself highly reasonable but also Beneficial to the aforesaid Heir at
Law of the said Humphrey Wells Stokes and not Prejudicial to the
aforesaid Philip Smith the Intestate Be it therefore Enacted by the
Right Honourable the Lord Proprietary by and with the Advice
and Consent of his Lordships Governor and the Upper and Lower
Houses of Assembly and the Authority of the same that it shall and
may be lawful to and for the aforesaid Mary Stokes and she is hereby
Authorized and Impowered at any time within twelve months from
and after the end of this present Session of Assembly to sell and
dispose of at Publick Auction or Vendue to be had at Joppa Town
in Baltimore County aforesaid to the highest Bidder in Sterling
Money after having given three Months Publick Notice of the time
and place of such sale) the aforesaid Tract or Parcel of Land called
Monserada lying and being in Baltimore County aforesaid or such
part thereof as the aforesaid Humphry Wells Stokes was in his life
time seized of or entituled unto and also his the said Humphry Wells
Stokes dwelling House and Lott in Joppa in Baltimore County afore-
said and also one small Tract or Parcel of Land near Joppa aforesaid
mentioned, the aforesaid Decree or any Law Statute Usage or Cus-
tom to the Contrary notwithstanding And Be it further Enacted by
the Authority Advice and Consent aforesaid that the aforesaid Mary
Stokes shall and may and she is hereby Authorized and Required
within forty days after such Vendue as aforesaid to Execute and
deliver unto the Vendee and Vendees by such Sale an Indenture of
Bargain and Sale expressed to be made between the said Mary Stokes
of Baltimore County Widow and Administratrix of Humphry Wells
Stokes late of the said County deceased of the one part and the said
Vendee or Vendees with his or their proper titles and Additions of
the other Part reciting this present Act and also Expressing therein
the Consideration Money the Parcels to be & thereby Conveyed the
Estate therein and such other things as are usual in such kinds of
Conveyances which Deed upon the acknowledging and recording
thereof according to the Direction of an Act or Acts of Assembly
of this Province to that Purpose still in force shall be Construed
Deemed and taken to carry and convey unto such Vendee or Vendees
his or their Heirs and Assigns for ever the aforesaid Tracts or Par-
cels of Land and Premises hereby intended and therein mentioned to
be Conveyed to all Intents Constructions and Purposes as fully and
effectually as if the same or any other kind of Deed of Conveyance

had been by the said Humphry Wells Stokes in his Life time of the Premises made and Completed the aforesaid Decree notwithstanding And Be it further Enacted by and with the Authority Advice and Consent aforesaid that the aforesaid Mary Stokes shall and may and she is hereby required directed and Obligated within two Months after the Vendue or Sale by Auction as aforesaid out of the Consideration Money for which the said Lands shall be so Sold as aforesaid (and which shall in the said Deed of Bargain and Sale be mentioned and Expressed) to pay and Satisfy unto the aforesaid Philip Smith and William Chapman Administrators to the aforesaid Philip Smith deceased or to one of them the Principal Sum of One hundred and Eighty two Pounds and four Pence Sterling Money and the lawful Interest thereon arising until such Payment in full Satisfaction or discharge of the whole Claim or demand from the aforesaid John Stokes in his life time to the aforesaid Philip Smith the Intestate in his life time due and Payable, which Payment when made as aforesaid shall be and is hereby declared to be and to be construed deemed and taken as a full Performance Satisfaction and Discharge of the aforesaid Decree Mortgages Lands and Tenements Bonds and Securities and whatsoever by the said John Stokes in his life time or by the said Humphry Wells Stokes in his Life time entered into or secured either to the said Philip Smith the Son and William Chapman as Administrators as aforesaid as fully and effectually to all Intents Constructions and Purposes whatsoever as if the said Decree Mortgages Lands and Tenements Bonds and other Securities had never been made Entered into or secured and on which Payment so as before directed to be made it shall and may be lawful to and for the said Mary Stokes out of such Part of the aforesaid Consideration Money for the Sale of the aforesaid Lands as shall be over and above sufficient to pay and Satisfy the aforesaid Claim or demand of One hundred and eighty two Pounds and four Pence Sterling and Interest to take receive retain and apply to her own use as Administratrix to the aforesaid Humphry Wells Stokes at the Rate or Proportion of ten per Cent as a Salary on the aforesaid Payment to the aforesaid Philip Smith and William Chapman or to either of them And Be it further Enacted by and with the Authority Advice and Consent aforesaid that for so much of the aforesaid Consideration Money arising on the aforesaid Sale as shall be over and above Sufficient to pay and Satisfy the aforesaid Sums of One hundred and eighty two Pounds and four Pence and Interest and also the aforesaid Salary of Ten per Cent thereon the same shall be and is hereby declared directed and required to be payable and paid to the Heir at Law of him the said Humphry Wells Stokes on his Arrival at the Age of twenty One Years in the lieu and stead of the aforesaid Tracts of Land hereby Authorized to be sold to which Purpose the aforesaid Mary Stokes is hereby directed and Required the next County Court to be held for Baltimore County after the Payment so as before

Liber
B. L. C.

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Liber directed to be made to the aforesaid Philip Smith and William Chapman or to either of them to give good and sufficient Security for the Payment of the Principal only of such Residue accordingly and in Case the said Heir at Law aforesaid shall dye before he attains the Age of twenty one Years then and in such Case the aforesaid Residue of the Consideration Money arising on the Sale aforesaid shall be paid to the then Heir at Law of Humphry Wells Stokes

Chapter XXVIII. Session Laws p. 38 An Act for the Relief of *Francis O Connor*, *Robert Noble*, of *Dorchester* County, Planters, *Joseph Richardson* of the said County, Shoemaker, languishing Prisoners in *Dorchester* County Goal; *Thomas Foy*, a languishing Prisoner in *Talbot* County Goal; *Cornelius Mahany*, of *Cæcil* County, Taylor, a languishing Prisoner in *Cæcil* County Goal.; and *Robert Floyd*, in *Queen-Anne's* County Goal.

Preamble. Whereas, the said *Francis O Connor*, *Robert Noble*, *Joseph Richardson*, *Thomas Foy*, *Cornelius Mahany*, and *Robert Floyd*, by their humble Petition to this present General Assembly, have set forth, that they have continued Prisoners for Debt in the Custody of the Sheriffs of the several Counties aforesaid, and still continue in the like deplorable Circumstances, and not being able to redeem their Bodies with all the Estate or Interest that they have in the World, which they would readily deliver up and part with to their several and respective Creditors, if they would accept the same and grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that unless relieved by a particular Act Passed in their Favours, which by their said Petition they have humbly prayed, they must inevitably continue Prisoners for Life. And for that the Truth of the said Petitioners Allegations are made appear to this present General Assembly by sufficient Testimony, and that the said Petitioners are fit Objects of Charity, and that their lying in Goal can be no Benefit to their Creditors, it is humbly Prayed that the said Petitioners may be Relieved according to their Prayers, and that it may be Enacted;

Creditors to go to the Sheriff in 20 Days, and give security for Fees, &c. *And be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same*, That unless all or any of the Creditor or Creditors of any of the said Prisoners, or the Attorney of such Creditors aforesaid within this Province, shall, within Twenty Days after the End of this Session of Assembly, go to the Sheriff, of the aforesaid Counties of *Dorchester*, *Talbot*, *Cæcil*, and *Queen-Anne's* and give good Security to pay the Imprisonment Fees the Sum of Ten Pounds of Tobacco *per* Day, that shall or may become due from the said Prisoners respectively, after the end of the said Twenty Days, and also find the said Prisoners, sufficient Meat, Drink and Cloathing, during their future Imprisonment; and in case they the said Prison-

ers shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriffs of the Counties aforesaid, in the Presence of Two Justices of the Peace of the said Counties, whom the said Sheriffs are hereby required to Summon, on the request of the said Prisoners, at some convenient Time after the receipt of this Act, not exceeding Thirty Days, all their Real and Personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which they have any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriffs of *Dorchester, Talbot, Cæcil, and Queen-Anne's* Counties, for the use of the said Creditors, all such their Estate, Interest or Claim as aforesaid, after such manner as by the said Sheriffs, and by the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council Learned in the Law, shall reasonably devise or require, at the Cost and Charges of the Persons as shall claim Benefit thereof, so as the said Prisoners be not burthened with any Warranties thereby, other than from themselves or those claiming by, from or under them, and that the said Prisoners, at the Time of such their Surrender and Transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices of the Courts aforesaid, to the Effect following, *Viz.*

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I A. B. do Affirm, or solemnly Swear, that the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of _____ County, and in Trust for the use of my Creditors, is the whole Estate both Real and Personal of my Own in Possession, or have any Title to in the World, and that I have not any Estate, Goods or Effects of any kind whatsoever, left either in Possession, Reversion or Remainder (the necessary Wearing Apparel for my self, Wife and Children, and Working Tools, excepted) and that I have not directly or indirectly, sold, leased, or otherwise conveyed, disposed of or intrusted, all, or any part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof. So help me God.

The Oath.

It shall and may be lawful for the Sheriffs of the Counties aforesaid, after the end of the said Thirty Days, and the said Sheriffs are hereby required to Discharge the said Prisoners out of their Custody, and suffer them to go at large.

And be it further Enacted by the Authority, Advice, and Consent aforesaid, That if the said Prisoners, or any of them, shall be hereafter Imprisoned by reason of any Judgment or Decree obtained for the Payment of any Debt, Damage or Cost, contracted, occurred, or occasioned, owing or growing due before the end of this Session of Assembly, upon every such Arrest, on any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judge or Justices of the Court where any such Process shall issue

To be discharged
from future
Arrests on
Appearance.

Session upon shewing a Duplicate of the Discharge of the said Prisoners, or
 Laws any of them, being so Arrested, to release and discharge out of Custody the said Prisoners, or any of them, provided the said Prisoners, or either of them, being so Arrested, shall and do enter his or their Appearance, or procure some Attorney to appear to every such Action and plead thereto; provided that the Discharge of the said Prisoners, or any of them, shall not acquit any other Person from such Debt, Damage or Cost, or any part thereof, but that all such Persons shall be answerable for the same in such manner as they were before the Passing this Act.

Proviso. *Provided always, and be it Enacted by the Authority aforesaid,*
 P. 40 That notwithstanding the Discharge of the said Prisoners, or any of them, all and every Debt or Debts, due and owing from him or them, and all and every Judgment had or Decree obtained, against him or them, shall stand and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements and Hereditaments, Goods and Chattels of him or them, and which he or they, or any other Person in Trust for the use of him or them, had at the Time of the Discharge of the said Prisoners, or any of them, or which he or they at any Time hereafter shall or may be any way Seised or Possessed of, or Interested in, to his or their own use, or in his or their own proper Right, either in Law or Equity, (except the wearing Apparel and Bedding, or Working Tools of him or them, not exceeding the Sum of Five Pounds Current Money,) and it shall and may be lawful for any of their Creditors, their Executors, Administrators and Assigns, to take out new Execution or Executions against the Lands, Tenements, or other Hereditaments, Goods and Chattels, of the said Prisoners, or any of them, (except as before excepted) for the Satisfaction of his or their Debts, in such sort, manner and form, as he or they might have done if the said Prisoners, or any of them, had not been taken in Execution or Discharged by virtue of this Act.

Actions of *And be it further Enacted by the Authority aforesaid,* That if any
 Escape. Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice or Justices, for the performing their Office in pursuance of this Act, he or they may Plead the General Issue, and give this Act and the Matter in Evidence, and if the Plaintiff be Non-suit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

Proviso. *Provided also,* That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the before mentioned Prisoners, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making this Act.

Provided nevertheless, That in case the said Prisoners, or any of them, shall at any Time after making such his Oath or Oaths, or taking such his Affirmation or Affirmations, as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the tenor of such Oath or Affirmation as aforesaid, that then the said Prisoners, or any of them, being Convicted as aforesaid, shall upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him, her or them by this Law, and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever, in the same manner as if this Act had never been made; any thing to the contrary notwithstanding.

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Laws
No Relief
by this Act,
in case of
Perjury.

Provided always, That the Sheriffs of *Dorchester, Talbot, Cæcil,* and *Queen Anne's*, Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before any Creditor or Creditors shall have any share of the Prisoners Effects, and if the said Prisoners Effects shall not be sufficient to satisfy the Sheriffs their Imprisonment Fees, that then the said Prisoners, or any of them, shall Satisfy and Pay to the Sheriff the residue of their Imprisonment Fees; Provided that the said Sheriffs shall not Prosecute, Detain or Imprison the said Prisoners, or any of them, within Two Years after his or her Release; any thing in this Act contained to the contrary notwithstanding.

Sheriff's
Fees to be
first paid.

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And be it further Enacted by the Authority aforesaid, That if any of the Persons intended to be Relieved by this Act, are and shall be of sufficient Ability of Body to Labour, to be adjudged by the Justices of the County-Court, such Person or Persons, being unmarried and having no Family, shall be and are hereby obliged to Serve a Term not exceeding Five Years, to any Person or Persons who are or shall be inclinable to purchase the Time and Servitude of such Debtor or Debtors as aforesaid, and that the respective Sheriffs in whose Custody the aforesaid Persons, or any of them, are, be, and are hereby, authorized, impowered and obliged, at the first County Court to be held for their respective Counties next after the end of this Sessions, and during the Time of Court sitting, by Order of such Court, to publish the Sale of such Debtor, and the Time of his or her Servitude, and the same may and are hereby obliged to sell or dispose of to the highest Bidder, and the Money arising from such Sale, the Sheriffs Fees being first deducted, shall be as Effects of such Debtor in the hands of such respective Sheriffs as aforesaid, subject to an equal distribution to the Creditors of such Debtor or Debtors, and such Sheriff is hereby obliged to distribute the same in equal proportion to such Creditors accordingly.

Prisoners to
be sold if
unmarried.

Provided always, That any such Debtor or Debtors being Single and subjected to serve as aforesaid, and being Sold for that purpose. that then and in such case, such Sale and Service is hereby deemed a full and sufficient acquittal and discharge against all Debts due

Proviso.

Session from such Person or Persons, before such Sale and Servitude as
Laws aforesaid; any thing in this Act, or any Law, Statute, Usage or Custom to the contrary thereof notwithstanding.

Their Estate Likewise to be sold. *And be it further Enacted by the Authority, Advice and Consent aforesaid,* That whatever Estate, whether Real or Personal, any of the Prisoners aforesaid shall surrender or give up to any of the Sheriffs in whose Custody they are or shall be at the Time of their or any of their Discharge, shall by the Sheriff or Sheriffs in whose Custody such Prisoner or Prisoners shall be, in the Presence of One Magistrate of the particular County where such Prisoner shall be Discharged, be exposed to Public Sale, and Sold to the highest Bidder; and that after the same be done, and the Sheriff and Sheriffs are paid, or secured to be paid, their Fees, the residue be applied to the Creditors of such Prisoner or Prisoners that shall apply therefore within Twenty Days after the said Sale, in equal proportion to their Demands.

And be it further Enacted, That all such Accounts, Bonds, Notes, or other Demands, any of the said Prisoner or Prisoners have against any Person or Persons whatsoever, be, by the said Prisoner or Prisoners Assigned to the Sheriff in whose Custody such Prisoner or Prisoners shall be or are at the Time of their Discharge, and that such Sheriff or Sheriffs shall and may maintain an Action or Actions on such Demands, as Assignee of such Prisoner or Prisoners in his own Name.

Proviso. *Provided always,* That such Creditor or Creditors demand of such
p. 42 Sheriff to Sue, and give to such Sheriff a Bond to indemnify him against any Charge that may accrue to such Sheriff by means of Suing, and in case of a Recovery that then the Sheriff make distribution of what shall be recovered, to the Person or Persons giving him such Security as aforesaid.

APPENDIX.

To His Excellency Samuel Ogle Govournor and Commander In Chief In and over the Provance of Maryland and to the Upper and Lowar Houses of Assambly now sitting the Humble Patition of Jonathan Martino Humbly Sueth that Your Patitioner hath Been a Prisoner for Debt ten months under the Custody of Ennalls Hooper than High Shirriff of Dorchester County and still Remains a Prisoner In the Custady of Battholamew Ennalls And Your s^d Patitioner is Confined in a Clos Dungan almost Starved with cold In the Wintor and almost Stifled with Heat In the summer and Your s^d is Aged ods of forty years and hath a wife and four small Children Upon the Account of suffering thro : my long Confindment and Your s^d Patitioner is almost lost By a Surfit of heats and Colds that he is Brok out in a sad Condition and is likely to Languish for want of his libarty to Get some Proper Remady for his Releef and Your Patitioner is not able with all the small Estate to Comply with his Raspective Credittors which he would Be willing to Surrender up so that he Could obtain his libarty which he is not like to Get Except Your Exallancy will Take it in to Your Serious Consideration and Grant that thare may be An Act made Ether to Sall him or to Ralass him out of his Misarable and Daplorable Confindment and Your Patitionar is Bound in Duty and will for Ever Pray &c.

Jonathan Martino

An Instruction to our Trusty & well Beloved Sam: Ogle Esq^r Governor of the Province of Maryland.
C: Baltimore

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p. 87

You are to give Directions to our Judge of the Land office that for the Future he is not to make out any Grant of Land or Lands to any part Exceeding the number of one Thousand Acres and the same Thousand Acres to be made out in two Distinct Grants not Exceeding five Hundred Acres Each wth the usuall Reservations

Given at London in Jan^{ry} 1740 in the 27 Year of our Dominion Anno Domini under our hand & Lesser Seal at Arms.

By his Lordsp^s's com^d

Jn^o Browning Secretary.

An Instruction to our Trusty & Well Beloved Sam: Ogle Esq^r Governor of the Province of Maryland

C: Baltimore

Whereas by our Proclamation bearing Date at Annapolis the 20th day of June in the 19th year of our Dominion Anno Domini 1733

Calvert we thought fit to Publish & Declare that the Rent of four shill^s Ster-
 Paper 295¹ ling as usual for Every Hundred Acres of Surplusage land there-
 after to be granted should be Reserv'd & Payable, And whereas it
 has been Represented to us that Great part of the Best & Richest
 Land is now Taken up & that most of what Remains is of less Value
 or lies in small Quantitys and Being willing to show our good Ten-
 nants all Reasonable favour & Indulgence.

We Hereby Impower you to grant all Surplus Land in Our Prov-
 ince, Whereon no Patents of Confirmation have all ready Isued
 upon the like Terms Conditions & Reservation of Rent as mentioned
 in the Oreginal Grants or Patents for such Land, the Partyes Apply-
 ing first Compounding wth our Agent for the Purchase Money In-
 terest thereon, & Rent from the date of the Original Grant for such
 Surplus Land C: B:

Given at London this 12 day of Aug^t 1741 in the 27 Year of our
 Dominion Anno Domini under our hand & Lesser Seal at Arms.

By his Lordships Order

Jn^o Browning, Secretary.

- p. 89 An Instruction to our Trusty & well Beloved Benj: Tasker Esq^r
 Agent for the Province of Maryland
 C. Baltimore

Whereas my Mañor on Susquehanah brings in very Small Rents
 Occasion'd by the Tennants not having Leases, you are therefore
 hereby Authoris'd and Directed wth the Chancellor to make Leases
 for that Mañer Renewable for Ever, taking care that the Mañor is
 Surveyed & Layed out Regularly in Proper Devisions

And you are Likewise with the Consent aforesaid to Grant Leases
 for all the Reserv'd Lands, on Susquehanah and about Conojohalah
 for 99 years under the Yearly Rent of Ten Shill^s sterling for Every
 100 Acres or upon Application of any Person to take up land wthin
 the said Reserve you are wth the Approbation aforesaid, to Grant
 the same under the Yearly Rent of 4 shill^s Ster^l Every 100 Acres
 the Person so Applying Paying five pound Ster^l p Hundred Acres
 Caution money for the same C: B:

Given at London this 12 day of Aug^t 1741 in the 27 year of our
 Dominion Anno Domini under our hand & Lesser Seal at Arms.

By his Lordships order

C. B.

Jn^o Browning, Secretary

- p. 90 Charles absolute Lord & Proprietary of the Provinces of Mary-
 land & Avalon L^d Baron of Baltimore &c.

To Our Right Trusty & well beloved Sam: Ogle Esq^r our Lieuten-
 ant Governor of our said Province of Maryland & to our Upper
 & Lower Houses of Assembly there & all Others in Our Province
 of Maryland for the time being Greeting

Whereas an Act, Intituled, an act for the Assessment & Payment of the Publick Charge of this Province Passed the 22 day of June 1741 hath been transmitted to us. Calvert
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By w^{ch} said act the sum of Eleven Thousand five Hundred & Ten pounds nine Shill & four pence Current money of the said Province is directed to be Assessed on & Levyed from the several Taxable Inhabitants of the said Province by an Equal Levy or Assessment this Year & to be paid to the severall Publick Creditors on or before the first day of Aug^t w^{ch} shall be in the year One Thousand Seven Hundred & forty two.

We taking the said act into our Serious Consideration & Having a most Tender Regard to the Prosperity & Ease of the Inhabitants of our said Province who would be very Sensibly Affected and Aggrieved by the Payment in one Year of the Af^d unusuall & Extraordinary large sum of Eleven Thousand five Hundred & Ten pounds nine shill & four pence Over & Besides the Ordinary sumes Annually Assessed on and Levyed from Them.

From this Motive & that so Heavy a Load when hereafter discharged may be the better borne by the said Inhabitants by Apportioning the Payment thereof in several Years. p. 91

We have thought fit & Judged it necessary to Disapprove Dissent to & Annull & said Act & declare the same Accordingly Void & of no Affect and we do hereby disapprove Annull & dissent to the said act & of this our will & Pleasure we Command Proclamation to be forthwith made & Published That all Persons Concerned may take due notice thereof and act accordingly. C: B.

Given at London the 23 day of Decem^r 1741 under our hand Seal By his Lordship Order J. B. Sect^{ry}

Tho: Bladen Comⁿ sind Aprill 24th 1742.

To Our Trusty & well Beloved Thomas Bladen Esq^r our Lieuten^t Governor p. 93

Baltimore

1st Whereas the Act made in the Year 1704 which Provides a Support for the Government, As also another act w^{ch} Grants a duty on the Tonnage of Shipping, Commonly Call'd the fourteen pence p Ton, Have been by the late Assembly Considered as Matters of Complaint, you are hereby directed & Injoynd to take all Imaginable Caution That nothing be done, to weaken or Lesson the right & authority I now have or Injoy in or Concerning any of those points; But if the Assembly should think fit to pass another Perpetuall Bill of the same Import & Affect as that of 1704, You are hereby permitted to give y^r Consent thereto or to any Other Meashure w^{ch} may in any Manner Confirm the s^d Act 1704

2^d You are to take Care that no Incroachment be made on my Power & Authority of regulating & Ascertainning the Severall Offi-

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cens fees not regulated by any law or Act of Assembly, but if the two Houses should pass any Bill, w^{ch} may be a Perpetuall Law for Limitting & Settling Either such fees as are Ascertained by the Sevrall Regulations now in force, or any other table of fees to be agreed on by the two Houses You may & are hereby permitted to give Your assent to such Bill. or if any fee or fees in the Present Regulations should Appear to you & the Councill to be too large or Exorbitant you are hereby Directed & Impowered by & wth the advice & Consent of the Councill to make such Abatements & Alterations therein as may be proper & Expedient.

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3^d As it may be Necessary to Give some further Incouragement to the taking up of Vacant Lands & surplus Lands by Making the Terms & Charges thereof Easier, I require You to Consult wth the Chancel^r Judge of the Land office & Agent in relation thereto and that you acquaint me wth what They shall think Adviseable before you put the same in practice unless some Circumstances should make a proclamation & Execution of what they shall Judge expedient, Immediately necessary.

4th You shall at Such time & such Manner as may be proper & Convenient Give Directions to our Agent & the severall Receivers of our Quit rents not to insist on or receive from any Person whatsoever any fine or fines on or for any Lands w^{ch} have been or shall be Alienated by Devise.

5th As no Person to be Employ'd as an Agent here for the Transaction of any affairs for the reall benefit of the Province can be so nearly Interested, or more Inclinalbe to Manage the same as myself

Therefore you shall not pass any Bill or Bills whatsoever w^{ch} may be Offerd to you for that Purpose or give the least Countenance thereto but on the Contrary by Every adviseable means Discourage the same

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6th You are to desire M^r Ogle to Deliver up all such Instructions as he has had from me from time to time and to Conforme thereto so far as they do not Contradict the Present

7th If any Doubt should arise on the words of any act of Assembly now in force whether there should be an Allowance & permission given to Ship any Quantitys of Tob^o free from the Country Dutys in lieu of the like Quantitys taken by the Enemy or pirates, You are hereby permitted to give Your Consent to any Bill which may be passed to Clear up such Doubt, Tho you may at the same time do it in such manner as to show Y^r Compliance to be an act of favour & not of right, since it lessens the Revenue Arising to the Government from Duty on Tob^o

8th Whereas it Cannot be Necessary but perhaps Improper by the few Tolerable fit Persons for the due administration of Justice to have so many Justices in our Provinciall Court as usually have been Therefore as well as to Lessen the Publick charge of the Province

we will that you take into Consideration whether it may not be proper to Limit the number of such provincially Justices to five and we further require that you place Edmund Jenings Esq^r as Chief Justice of the said Court when he shall Desire the same C B.

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Given Under our hand & Lesser Seal at arms at London May 12th 1742 By his L^d^{sp} Order J Browning

Additional Orders & Instructions To our Trusty & well Beloved p. 96
Tho. Bladen Esq^r our Lieu^t Govern^r of Our Province of Maryland.

As it may be proper to take some Notice to the Gentlemen of the Councill of the Good Disposition & Steadiness they have shown in Maintenance of my rights and priviledges & Honour & Dignity of Government I think it adviseable You should in some Councill before the Meeting of Assembly, Assure them of the Just sence I have of, & reall Value & Confidence I place on their Resolutions for my Honour & the True Interest of the Countrey, and that as I have no other aim, but to make the Province Happy, I make no doubt they will Concure wth me That no meashure can be more Affectuall then a Proper Support of Government in all its branches.

I Require you to make Jn^o Cook High Sheriff of Prince Georges, or any other County, he shall Desire on the first Vacancy, w^{ch} may Happen after Your Arrivall

Given under our hand & Seal at London this Twenty Eighth day of May in the Twenty Eighth year of our Dominion Annoq Domini 1742.

Articles of Peace and Amity concluded and agreed Upon between the Right Honourable Charles Absolute Lord and Proprietor of the Province of Maryland and John Coursey and Chinehopper Chief of the Chicacoan Indians on behalf of themselves and Indians under their Subjection this 24th Day of July 1742

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Imp^{rs} It is agreed upon that from this Day forward to the Worlds End there shall be an Inviolable Peace and Amity between the Right hon^{ble} the Lord Proprietary of this Province and the Chiefs of Chicacoan Indian Towns upon Articles hereafter in this Treaty agreed upon and that all former Acts of Hostility and Damages whatsoever sustained shall be buried in Perpetual Oblivion.

2^{dly} That if any Indian or Indians Subject to the said Chiefs shall Assault beat or kill an English Man or Plot or conspire [to make war] with the English Inhabitants the said Chiefs shall be Obliged to deliver such Indians Up to the Governor of this Province to suffer as the English should do for the like Offence

3^{dly} Forasmuch as the English cannot Easily distinguish one Indian from another that no Indian shall come into any English Plantation Painted and that all the Indians shall be bound to call aloud before they come within one hundred Paces of any English Mans

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Letter No. 4

clear Ground and lay down their Arms whether Guns Bows & Arrows or other Weapons & [move a] distance from them that any English Man that shall Appear upon their call may take them up and in Case that no one Appears that they shall leave their said Arms if they come nearer & afterwards call aloud to give notice to the English of their nearer Approach & if any English Man shall kill an Indian that shall come unpainted and give notice & deliver up his Arms as aforesaid he shall dye for it as well as an Indian that shall kill an English Man and in case the Indians and English meet Accidentally in the Woods every Indian shall be bound immediately to throw down his Arms upon call & move from them and if an Indian meeting an English Man shall refuse to throw down his Arms upon call as aforesaid he shall be deemed an Enemy and treated as such

4^{thly} That the said Chiefs shall never claim any Jurisdiction over the Indians of any other Town in Maryland nor shall they suffer any Indian Subject to them to carry a Gun without Licence from his Excellency the Governor of Maryland and if any Indian shall be found with a Gun without such Licence he shall forfeit his Gun and be treated as an Enemy

5^{thly} The Priviledge of Crabbing fowling Hunting & Fishing shall be Preserved to the Indians Inviolably

6^{thly} That every Indian that killeth or stealeth an hogg Calf or other Beast [or any] other goods shall undergoe the same Punishment that an English Man doth for the like Offence

7^{thly} If any Servants or Slaves runaway from their Masters to any of the Indian Towns within the Territories of the said Chiefs their Subjects shall be bound to Apprehend the said Fugitives and convey them to the next English Plantation to be carried to their Masters and if any Indian aforesaid shall Convey or Assist any such Fugitives in their flight out of this Province he shall make the Respective Master or Mistress of such Servants or Slaves such Satisfaction as an Englishman ought to do in the like Case

8^{thly} That the said Chiefs shall not make any Peace with our Enemys nor shall make Warr without the consent of the Governor of this Province for the time being and if they or any of their Subjects shall kill or hurt Jamy Small hominy or any Indian who hath lately confessed a Conspiracy against the English the Guilty person or persons shall be delivered up to be punished with death

9^{thly} That if the said Chiefe or any Indians Subject to them shall kill any Indians or any other in Peace and Amity with the Lord Prop^{ry} it shall be Esteemed as great an Offence as killing an English man

10^{thly} That neither the said Chiefs or any of the Indians under their Subjection shall at any time hereafter keep or entertain among them or wthin their Fort any Forreign or strange Indian or know

or discover any such to Appear or come into this Province without giving immediate notice thereof to his Excellency the Governour or some Coll^o or Magistrate of note by whom the same may be communicated with all Expedition to the Governor of this Province for the time being for his directions therein and if such strange Indian shall Endeavour to induce them to destroy the White People or do any Mischief they shall Apprehend & deliver such strange Indian to the English

11^{thly} That if any disputes shall Arise between the said Chief [s or their] Subjects and any other Indian Nation in [Maryland that] they cannot settle between themselves it shall be [referred to] the Governor and Council

12^{thly} That the English and Indians shall hereafter be as one People and shall Assist each other against all Persons whatsoever that shall make Warr with or Attack either of them and if either shall hear that any Persons intend to damage the other Notice shall be immediately given of the danger

13^{thly} [That as a further Testimony of their League Peace and Friendship] with his Lordship the Lord Proprietor of this Province and expect Protection from him & his Government that the said Chiefs and their Successors shall pack and deliver unto the Coll^o of Dorchester County for the Lord Proprietary his heirs & Successors two Bows and two dozen of Arrows Yearly upon the tenth Day of October as an Acknowledgement of his Lordships Dominion Over them and as a Pledge of Peace also In Confirmation whereof his Excellency Samuel Ogle Esq^r Governor in Chief of the Province on behalf of his said Lordship and John Coursey and Chinehopper on behalf of themselves and the Indians under their Subjection have signed hereto in presence of his Lordships Council and of several of the Great Men of the Indians the day and Year abovementioned and the Great Seal of this Province is hereunto Affixed

Sam : Ogle

The mark } of John Coursey

The mark C of John Chinehopper

[A similar treaty much torn is found in Black Book 11 No 7 between Gov. Ogle and Chiefs Simon and Captain Job (both marksmen) on behalf of the Broad Creek Indian Towns. The treaty differs from the one just given in that the 4th Article contained a lost provision as to "the Choice of an Emperour," and that in the last Article the annual tribute was to be paid to "the Collo of Somerset County." A third treaty also considerably torn is found in Black Book 11 No. 7 between Gov. Ogle and Chiefs Bastobell, John Witonneris, Jeremy Peake and George Rokahaum on behalf of the Assateague and Pocomoke Towns. Here tribute was to be paid to the Collo of Somerset County and the opening part of the 5th Article is "that the said Chiefs shall never Join with the Nanticoke Indians

Black Book in the Choice of an Emperor or Chief or be subject in any manner to
 No. 11 them." Then follows the provision that they shall not "suffer any
 Letter No. 4 Indian subject to them to carry a Gun &c]

Black Book }
 No. 5 County } The Examination of Indian Dick aged near thirty year
 Letter No. 62 Taken before me the Subscriber one of Ldship Justices of the Peace
 for the afs^d Co^{ty} (Saith) that he was told by an Indian woman be-
 longing to Locus Neck Towne, that the Back Indians to the number
 of twenty odd more Came Down in May Last to Chickecone Towne
 in order to agree with these Indians to assist them in killing the
 English People of this province, and that these Indians Did agree
 with them so to Do, and promised to Come Down in Apple time this
 Examanant further saith that the Reasons the Indians Came
 from Pokeamoke Swamps was because they understood the English
 had heard there Dissign against and further Saith not.

his

Indian X Dick
 mark

Taken before me June 29th 1742
 Cha. Dickinson

Letter Maryland ss } The Examination of Indian Patrick of the Acha-
 No. 63 Dorchester Co. } wamp Nation belonging to Locust neck Town of
 Great Choptank River in Dorchester County taken before me one of
 his Lordships Justices of the peace for the County aforesaid, Saith
 that about the middle of May past he saw at Chicocone Town on
 Nanticoke River Twenty three Shawan Indians, and about a fort-
 night afterwards the Nanticoke Indians sent for him and the rest of
 the Choptank Indians to folow them to a Certain place near Pokea-
 moke Swamp where they Came and found all the Somerset County
 Indians gathered together, And he was told by the Great men that
 the Shawan Indians was to come down some time this present moon
 to Joyn them and kill all the English by Surprize in the night but
 some days afterwards the Great men were affraid and sent
 and another Chicocone Indian to the Shawan Indians to warn them
 not to Come down and further saith not

his

Indian ? Patrick

1742 June the 29 } Taken before Henry Trippe marke

Letter Maryland ss }
 No. 78 Dochester Co. } The Examination of Jacob Pattasahook, one of Nan-
 ticoke Indians taken before me one of his Lordships Justices of the
 peace for the County aforesaid saith about a month ago this Ex-
 aminant was at Coney Town on Susquehana River and was told by
 the Indians of said Town that the Senaca and Totra Indians in Con-

junction and by the advice of the french had agreed to Cut of the English Inhabitants in Pensylvania Maryland and other adjacent parts of this Continent and the Indians in Somersett and Dorsett County and to that End the Senaca Indians were soon to go to Philadelphia to Dispose of some part of the Lands for Arms and Ammunition and haveing so done the Senaca, Totra, and other Indians were in roasten Ear and Apple time to fall upon the Back Inhabitants and at the Same time the french who was to come by Sea, were to Land on the Sea bord side of Somersett County in order to meet the said Indians, and further this Examinat Saith not,

June the 30th 1742

Certified by Henry Trippe

his

Jacob [c Pattasahook
marke

The Examination of Sam Isaac one of the Chicacoan Indians taken by me Henry Hooper one of his Lordships Justices of the Provincial Court. This Examinant saith that when the several nations of our Indians met at the place called Winnisocum he heard Sam Panquash Dixon Coursey Capt John the Indian River Queen and a Colonel of the Queens, an Indian River Doctor, and one Simon of broad Creek, say that they had made an Agreement with the Shawan Indians (who were to be Assisted with the Seneca Indians) to Kill all the white People of Maryland, and that the Indians of those parts were to Joyn our Own Indians in a Short time at Broad creek in order to cut off the English in Somerset and Dorset Counties

his

Taken the 1st Day July 1742
by Henry Hooper

Sam > Isaac
mark

Maryland ss.

The Examination of Jamey Cohank, taken by me Henry Hooper one of his Lordships Justices of the Provincial Court. This Examinant Saith that some time in May last to the number of twenty three of the Shawan Indians came down to Chicacoan Town and that he this Examinant often observ'd that Panquash and Dixon Coursey held private conferrances with the War Captain of the Shawan Indians, for two nights together; And that within a few Dayes after the Shawan Indians went away, Dixon Coursey went over to a place called Winnasocum, and two Days after that Panquash followed him to the same Place where they gathered all the Nations of our Indians together, and this Examinat further saith That he has understood by several Indians since they return'd from Winnasocum, that the whole design of their meeting there was to Join the Shawan Indians, in distroying the English.

James Cohonk

Taken the first Day of July 1742 by Henry Hooper

Black Book
No. 5
Letter No. 78

Letter
No. 64

Letter
No. 86

Calvert
Paper 295 $\frac{1}{2}$
p. 97

Additional orders & Instructions to our Trusty & well Beloved Tho: Bladen Esq^r our Lieutenant Governour of our Province of Maryland.

An nothing Can be more Certain, then that a due weight and authority is necessary in all Governments.

I must require you to be very carefull not to give Y^r Assent to any Law, or do any other Act, that may in Any Manner weaken the Power & Authority of the Government in Maryland, the due Support of which is as necessary for the Welfare & Prosperity of the people, as for my own particular Interest, whatever Mistaken or popular notions may be advanced on this Head

And particularly you must not Allow any Alterations to be made in the Assize Law, passed by the Late Governour, or to the Lessening of the Power of the Judges, nor must you pass Even that Law, unless the Lower house passes the Bill for 3 pence p^r hh^d for Armes & Ammunition in the usuall Manner.

And whereas the Upper house, for some time past before Y^r Arrival in Maryland, thought it Reasonable to withhold several other Bills till the bill for 3 pence p^r hh^d for armes &c should pass in the Lower House, you are Required for the future not to pass any of the said Bills wth out that for Armes &c in the usual Manner, that so necessary a Bill for the Safety & defence of the Province, & the Others desired by the Lower house may go hand in hand as is usually
p. 98 Practiced in the other Governments of America, & w^{ch} I find by the proceedings of Assembly was all that the Lower house themselves pretended to Contend for in the Late Governors time.

And tho' I am very far from desireing any unjust Article to be inserted or contended for in the Levy Bill Yet I must require you in the most special manner not Suffer any of the Just fees & Perquisites of the Officers, or any of the necessary Expences of the Govern^t, particularly in Relation to the Indians, to be disallowed of by the lower house, but that you absolutely refuse to pass the said Bill, unless fair & equal Justice be done to all Persons without Distinction.

And you are Likewise to take Care that in all the Penal parts of Laws, the Fines be Applyed to the Support of Government as usual

As to my private Property, w^{ch} is so much under Y^r Care both as Governour & Chancelor I desire nothing but Equal Justice wth my Tenants in all Respects, and that, as you will always have it in Y^r View to do Justice to them, You may have the same regard to my Just Rights & Property & be perticularly carefull that in all Acts relateing to Land Officers, there be nothing inserted in them to my Prejudice, & I hope you will always take Care to Consult wth my Agent in Every thing relateing to my Interest, & have a due Regard to his Just Representations

And If any thing of Very Great Consequence Comes under Y^r Consideration, that you suspend doing anything therein, till you have Acquainted me wth it & received by Directions.

Given under our Seal Twenty fourth of March 1742/3

Calvert
Paper 295½
p. 99

Charles Absolute Lord & Proprietary of the Province of Maryland, and Avalon, Lord Baron of Baltimore &c to our Right Trusty & well Beloved Tho: Bladen Esq^r Our Lieutenant Governour of our Province of Maryland And to Our Right Trusty and well Beloved the Upper and Lower Houses of our Assembly, there and to all Others in our said Province of Maryland for the time being Greeting.

Whereas at a Sessions of Assembly begun & held at Annapolis in our said Province of Maryland the Twenty first day of September in the Twenty Eighth Year of our Dominion over the said Province of Maryland Anno Domini 1742 An Act Intituled an Act for the Tryall of all Matters of Fact in the several Counties Where they have arisen or shall Arise, passed into a Law on due Consideration thereof Wee have thought fit to Dissent, to the said Act, and do hereby declare the said Act Null, Void, and of no Effect

Given under our hand and seal at Armes at London this Twenty fourth day of March in the Twenty Ninth Year of our Dominion Over the said Province Anno Domini 1742/3.

By his Lord^{sh} Com^d Jn^o Browning, Secretary

Ditto our Dissent to An Act to devide Somersett County & to Erect a new County Call'd Worcester.

Additional Orders and Instructions to our Trusty and well Beloved Tho: Bladen Esq^r our Lieutenant Governour of our Province of Maryland p. 100

You are to receive, and Transmit to me for my Approbation & Consent, all, and Every Proposition or Scheme that shall be delivered or Offer'd to you by the Lower House, or the Houses of Assembly in Lieu of my Land Rents Ariseing in the Province of Maryland, and you are not to give Y^r Consent to any such Scheme or Proposition untill our pleasure be first known

Given under our hand & Seal at Armes at London this 9 Day of August in the Twenty ninth Year of our Dominion over the said province Anno Domini 1743.

By his Lordships Com^d Jn^o Browning, Secretary.

Charles Absolute Lord & Proprietary of the Province of Maryland & Avalon, Lord Baron of Baltimore &c, to Our Right Trusty & well Beloved Tho Bladen Esq^r our Lieutenant Governour of our Province of Maryland, and to Our Right, Trusty & well Beloved the Upper and Lower Houses of our Assemblys, there and to all Others in our said province of Maryland for the time being Greeting. p. 103

Whereas at a Sessions of Assembly begun & held at Annapolis in Our said province of Maryland the twenty first day of Sept^r in the Twenty Eighth Year of our Dominion Over the said Province of Maryland Anno Domini 1742 An Act, Intituled an Act to Divide Somersett County & to erect a new County Call'd Worcester passed

Calvert into a Law on Due Consideration thereof Wee have thought fit to
 Paper 295½ Dissent, to the said Act and do hereby declare the said Act Null,
 Void, and of no Effect.

Given under our hand & Seal at Arms at London this Twentieth
 day of July in the Twenty ninth year of Our Dominion Over the said
 Province Annoq Domini 1743.

By his Lordships Com^d Jn^o Browning, Secretary

p. 106 Additional Orders and Instructions to our Right Trusty & Well
 Beloved Tho: Bladen Esq^r our Lieutenant Govern^r of our Province
 of Maryland.

O Baltimore. You are not for the Future to Assent to the Division
 of any Countys or County without a Clause being Inserted that no
 such Law shall take Place until my Pleasure be Known

You are to Cause this our Instruction to be Regularly Enter'd in
 our Counsel Books

Given under our hand & Seal at Arms at London this 2^d Decem^r
 in the Twenty ninth year of our Dominion over our said Province
 Annoq Domini 1743 C. B.

By his Ldsps Com^d Jn^o Browning, Secretary

p. 107 Charles Absolute Lord & Proprietary of the province of Maryland
 and Avalon Lord Baron of Baltimore &c. unto our Dearly Beloved
 Benjamin Tasker of the City of Annapolis in Maryland Esq^r
 Greeting.

Know you that Wee the said Ld. Baltimore Haveing & Reposeing
 Great Trust & Confidence In Your Integrity Ability Care & Circum-
 spection as well as in y^r Affection & Loyalty to His most Sacred
 Majesty Person & Government, Have & by these presents doe Con-
 stitute nominate & Appoint you the said Benjamin Tasker to be
 President of our Council in Our Province of Maryland & doe Hereby
 Give & Grant unto you the said Benjamin Tasker All the Powers
 Authoritys & Profits belonging to the said Office in as full and Ample
 Manner as any person here to fore hath or might have Enjoyed the
 same, To have & to hold the said Office dureing Our pleasure

Given under our hand & Seal at Arms at London this Twenty
 third day of Decem^r in the Twenty ninth year of our Dominion An-
 noq Domini 1743

By his Ldsps Com^d J. Browning, Secretary

p. 108 Additional Orders & Instructions to our dearly Beloved Tho:
 Bladen Esq^r Our Lieutenant Governor of Our Province of Maryland

Whereas diverse Complaints have Been made to me of the many
 hardships & delays that my Good Tennants have been Subject to by
 reason of the Ill Practices of the County Clarks, and under Officers
 Appointed by the Commissary to the several Counties for Remedy

Whereof I doe direct & Require of you that no such Officers for the future be appointed wthout Your Privy or Consent, or the Governour for the time being and to be removed at Pleasure, & of this Our Instruction you are to Acquaint the Secretary & Commissary and to take Care it be Complyd with. Calvert
Paper 295½

2^{dly} You are to suffer no Law relating to the Paper Currency to pass without Sending the said Tax over first for my perusal, it Being Absolutely necessary for the Trade of his Majestys Subjects here to Consult wth them on that Head

You are to Cause these our Instructions to be Entered in the Journall of the Counsell

Given under Our hand and Seal at London this Twenty Eighth day of Decem^r in the Twenty ninth Year of our Dominion over the said Province Annoq Domini 1743

By his Lordships Command Jn^o Browning, Secretary

The usual Way of Raising Money in Maryland for the Defence of the Province & to defray other Publick Charges ever since the Province was settled has been by a Levy or Assessment on all the Taxable Inhabitants. Calvert
Paper
No. 405

All Persons both White, Black & Mulattoes, that are Sixteen Years old or upwards except White Women are accounted Taxables.

In the Month of June every Year the several Constables are obliged to go to all the Housekeepers in their respective Hundreds & to demand from each of them a List of the Taxables residing in his or her Family, at the ensuing Court the Constables return those Lists to the Clerks of their respective Counties, afterwards each Clerk makes out one List of all the Taxables in his County & returns it under the Seal of his Office to the Clerk of the Council & a Copy thereof to the Secretary's Office. When the Legislature meet & agree upon the sum to be raised, they pass the Act for raising it by the Mode above mentioned viz. by a Poll Tax, in Consequence thereof, the several Sheriffs at the Time of Collection (which is in the Months of May & June) demand from the several Housekeepers & other Freemen within their several Counties the Poll Tax that is leviable on them according to the Number of Taxable Persons that are in their Families.

For the Trouble of Collecting the Sheriffs are impowered to retain in their own hands a Commission of Six p C^t The Remainder they are by the Condition of their Office Bonds obliged to pay into the hands of the publick Treasurers, who are accountable to the General Assembly.

As the Number of Taxables in the several Families is in general proportionable to the Fortunes or Estates of the People (the Estates in Maryland consisting for the most part in Negroes & Land, This Mode of Taxation has been adhered to as equitable & it is by far the easiest Way of raising Money that can be proposed

Calvert
Paper
No. 405

It is supposed that the annual Income of Estates in Maryland is about six hundred Thousand Pounds Currency, A Tax of One Shilling in the Pound thereupon would be Thirty Thousand Pounds

The Taxable Inhabitants are about Fifty Thousand, a Tax of Twelve Shillings p Poll on whom, would amount to Thirty Thousand Pounds.

The Expence of Collecting this Sum at Six p Cent the usual Commission allowed the Sheriffs would be £1800. And the two Treasurers Commission for receiving the Remainder & paying it away again at Three p Cent would be £846: which two Sums being deducted out of the £30,000 there remains £27354 which according to the Regulations established in Maryland would Support & Cloath Seven Hundred Men for a Year.

In Case an Act of Parliament was to be made to oblige the Inhabitants of Maryland to raise the Sum of £30,000 Currency (£18750 Stg) annually for His Majesty's Service during the Continuance of the War it might be provided & directed that the said Sum should be *assessed & apportioned in the usual manner on the Taxable Inhabitants* of the said Province every Year during the Continuance of the present War, & be collected by the several Sheriffs within the said Province as Publick Levies have been generally collected, the said Sheriffs to be thereout allowed the same Sallary or Commission that Sheriffs have been heretofore allowed for similar Services. That the said Sheriffs should pay the Money which they might respectively collect by Virtue of the said Act to the Treasurers of the Province, who should afterwards pay the same (reserving to themselves thereout a Commission of Three p Cent) in such Sums, at such Times, for such Purposes, & to such Persons as the Governor or Commander in Chief of the said Province should by Warrant under his Hand direct. And the Governor Lieut Governor or Commander in Chief of the said Province for the time being should be enjoined & required to take Care that both the Treasurers & Sheriffs that are or shall be appointed in the said Province give good & sufficient Security to account for & pay such Sums of Money as they may respectively receive by Virtue of such Act & likewise to lay their respective Accounts before the General Assembly of the said Province as often as they shall be thereunto required.

An Estimate of the Expence of Supporting Seven Hundred Men for a Year or 365 ays according to the Regulation established in Maryland

The Pay of a Colonel having a Company 20/ p Diem	£ 365: 0:0
of a Lieut ^t Colonel having D ^o 17/6	319.. 7..6
of a Major having a Company 15/	273..15..0
of Four Captains 12/6 a Day each	912..10..0
of Fourteen Lieutenants 6/8 a Day each	1703: 6..8

of Seven Ensigns 5/ a Day each	638..15..0	Calvert Paper No. 405
of Twenty eight Serjeants 1/6 a Day each	766..10..0	
of Twenty eight Corporals & 7 Drumers ½ a Day each	745.. 4..2	
of Six hundred & nine private Soldiers 9 ^s a Day each	8342..13..9	
of two Surgeons at 6/ a Day each	219.. 0..0	
of a Commissary of Stores & Mustors at 12/ a Day	219.. 0..0	
Additional Pay to one of the Subalterns as Adjutant 4/	73.. 0..0	
Cloathing Six hundred & Seventy two Men at £4 each	2688.. 0..0	
Victualling 731 Persons 4 Women being allowed each Comp ^y at the Rate of nine pence a Day for each Person	10005..11..3	
Remains for Contingencies	82.. 6..9	
	<hr/> £27354 <hr/>	

Levy Money £5 a Man

The Following Hints are to be Submitted to His Lordship's Perusal & Consideration Only, And in order to frame proper Instructions to His Governor.

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Paper
No. 415

There are Some Points in Dispute, not to be receded from in any manner; And Others, which may Admit Concessions.

Of The First Sort, Are, The Law for Support of Government, His Lordship's power of regulating Officer's fees. The 14^s p Ton: And His Lordship's right to His Surplus Lands. Qu. ferrys, when Councils opinion is Had: But it may be observed, That altho the Support for Governm^t ought not to be weakned, yet perhaps It may some time or another be strengthned, And for which no Opportunitys must be omitted: Also Altho no Attack must take place or be in the least Countenanced agst. His Lordship's power of regulating the Officers fees; Yet If a Perpetuall Law for ascertaining such fees on a reasonable regulation should be offered, for the Satisfaction of All Partys, It may be adviseable to Accept it; Or If a Strong & plain Objection Could be made to the Exorbitancy of any of the now fees, The Gov^r & Council may be permitted to moderate it: And in order to the better maintenance of, or rather Silencing the Murmers against His Lordship's right to the surplus Lands as well as for a further Incouragem^t to the possessors to discover & take it up; This Expedient of Lessening the present Charges & Expences of paying for, Surveying &c patenting the Surplus Lands, will in all probability answer the purpose, And which May be effected by abating something of what His L^{dpp} now receives for such Surplus, And by reducing the Surveyors & Land offices fees in taking up such Lands: With Regard to the Suits now Depending & brought by Discovers of Surplusage Lands under His Lordship's Proclamation, Either

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some Compromise should be endeavoured to be made Between the Contending Parties, or The Decree (when made) must be given with the utmost Caution in point of Justice & Equity, to Correspond as much as may be with the present reasonings of the Lawyers Here.

The Points of the Second Sort which May be Conceded to, Are, Alienations on Devises, Bonds for Fees, Taking money from County Clerks, The Secretary practising In the provinciall Courts; And (if still insisted on) The Examiner in Chancery, As well as Navall Officer's taking Gold & silver instead of paper money for their fees, Tho' This Last must not be yeilded to (if it can possibly be Helped) Lest the severall Navall officers in the Upper House should be so much Disobliged as to lessen their Earnestness in Support of the Governm^t in other matters: Although These Points should not be adhered to by the Government, yet the manner of Desisting from Them, ought to be rather by Disuse & in Generall Terms, than by an Explicit Disapprobation, if it can be avoided.

The Act of 3^s for Arms may be taken, if offer'd without any objection to the time of Continuance And This perhaps may be the more adviseable in this juncture of foreign Commotions, Lest there should Happen or want of a provision for Arms, And the Countrey should pretend to justifie Themselves upon any application to His Maj^{ty} by insisting, That such a provision ought to be made out of the 12^s p hhd. & Consequently that His Lordship ought to account for 3^s out of y^r fund for the future, if not from the time of receiving it under the act of 1704: But what is here said ought not to be of weight enough to pass a Bill Clogged wth any such proviso or Clause, as this Bill Last Session was, which reserved a right of calling His Lordship to an Account for the Collection of the Duty under the Act of 1704; For This Has a tendency to invalidate that Act: However, it Deserves Consideration, whether, If the Assembly should insist on a share in the Disposall of the monies to be raised for arms It should not be Conceded to (if it Cannot by any means be avoided) as well for the aforementioned reasons, As For That M^r Ogle in the first Session after His going thither, made a precedent of that kind, by an Act He then passed for the 3^s

There are Severall favourite Laws, which the Countrey greatly Desires, & are now Expired but may be revived in a manner suitable to the Complaisance or Good nature of the Assembly

Upon The whole, There is another very Considerable point; Whether, All or Any of These Advances, On the part of the Governm^t can be made, or will be received, with so good a Grace or effect, in the person of the present, as of Another Govern^r, since Every step for want of Confidence or Hopes, May be received by the Managers in the Lower House with a wrong interpretation. Should Another Govern^r be sent; It Cannot be Expedient, but Highly Improper The present Gentⁿ should Hold Another Session, A Speech

from the prop^{ty} may be properly presented by a new Governors Hands, without so great a risque of a Disobliging address as to one Delivered by the present Govern^r

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It must be owned to be a Disagreeable Scituation for persons in the immediate managem^t of Affairs, to be under the necessity of temporizing: But none that Has The welfare of His Lordships family so sincerely at Heart, as to preferr it to any other Consideration, can justly repine at any of the aforementioned Concessions which may perhaps be prejudiciall to their particular interests, so as the principall & Essentiall points to His Lordship's Honour & Interest may by that means be supported & Established

Observations on the Bill sent from the Lower House for the Provision of Arms &c^a and the Conduct of the Lower House in Relation thereto.

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No. 396

The Governor in his Speech pressed the Lower House in the strongest Manner to revive the Law for provision of Arms &c^a in the usual Manner. To this the Lower House took some Exception as if the Governor dictated, how and by what means & manner they were to raise this money: The Governor in Answer fully explained the Reasons of his expressing himself in such plain Terms, and which were, Lest they should frame a Bill of the same Import with me sent from that House last Session, and which could not answer the Purposes designed, or be past without the most unjust Reflections on the Upper House and Government.

The Lower House notwithstanding this Caution from the Governor sends up a Bill alike in Every material Part to the Bill in 1741 Sessions, and another in 1742 Sessions, Except, that the Duty of Three pence is increased to four Pence; Both which Bills were rejected by the Upper House for the Reasons expressed in a Message from the Upper House in 1741 and which were referred to in the Return of the Bill with their Negative in 1742.

But to be more particular in the Reasons against this Bill, It must be observed,

First. That the Lower House cannot be supposed to be earnestly disposed to testify their zeal for his Majesty's Person and Government &c^a (as the Preamble sets forth) by sending up a Bill, which they must believe, by Experience, would miscarry in the Upper House.

^{2^{dly}} The Bill directs the money to be paid to Coll^o Sprigg only, by which means the whole Design and use of the Bill might be possibly frustrated, In Case of Coll^o Spriggs Death before he had given the security directed by the Bill, For on such Accident the Naval Officers might indeed receive the Duty, but they could not be authorized to pay the Money to any Person, who could invest it for the Purposes in the Bill; Whereas had the Bill ordered the monies to be

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paid to the Treasurers as usual, the Governor in Case of the Death of either of the Treasurers might have immediately supplied the Place by a New Commission.

3^{dly} But in Case Colonel Sprigg had given Security, Yet it was not impossible such sureties might have been persons not of the best Inclinations to his Majesty and Government Since many Persons of the Romish Religion of good Fortune inhabit this Province and could not be refused as sureties, upon the General Words of this Bill, And if such had been securities; It is certain they might have refused or at least delayed the Payment of the money in such Manner and Time, as not to Comply with the purposes of the Bill, Nor can it be any answer to this Objection to say that the Bonds would be liable & might be put in suit; For so much Time must necessarily [be] taken up before the Effect of such Suit could be obtained, that the whole Use of the Bill might be defeated.

4^{thly} The Act intended by this Bill was to expire in December 1745 and the monies raised thereby were to be at the Disposition of the House of Delegates, In Case the Governor should not apply the same, before such Session of Assembly as should happen after the said December 1745, It is to be observed that the Principal Part of the annual Duty to arise by this Bill could not be collected before the latter End of the year, And if the Governour for want of Opportunities in War Time, or should not think it Expedient to send immediately for such a great Quantity of Powder lest the same should spoil, which constantly happens in this Climate by Keeping, All the Money intended for that Branch of the Service & not actually applied before December 1745 would be under the Direction of the Lower House only, who by their many Attempts to set up an Agent & him a Power independant of the Government might be supposed to find many other Uses than Defence of the Province for this Money.

5^{thly} The Provisoe in favour of a Claim made by the Country against the Proprietary is impertinent, & tacked to the Bill with no other Design, than to throw a Reflection on the Proprietary, and keep on foot the Pretence of a Right, with a View to disturb the Minds of the People and Peace of Government.

The usual and accustomed form, in which this Provision for Arms has been made for almost thirty Years was to empower the Treasurers to receive and the Governor and Council to dispose of this money to those Uses But the Lower House without any Cause from the Mismanagement of the Governor and Council or Treasurer, directs this fund in another Channell, for the sake of casting an Odium on the Council.

7^{thly} Although Col^o Sprigg is impowered to send for Arms &c^a upon the Governors Orders for the Use of the Province, yet he is not directed what to do with those Arms, where to deposite them, or to whom to deliver them; so that the Arms might be in this Prov-

ince, and yet no Use could be made of them, Unless an Assembly should be called and further Orders given. Calvert
Paper
No. 396

From all which, it is manifest the Lower House did not design to testify any Zeal for his Majesty by this Bill, or to make any Provision for the Security of this Province, in Case it should be attacked.

My Lord.

Annapolis June 12th 1744 Calvert
Paper
No. 1109

The Assembly, which met the 1st of Last month, Ended The 4th Instant: The Points, upon which the Principal Business of the Session Turned, were, The Provision for Arms &c. And the intended Indian Treaty: Inclosed are Cops of what passed between the Governour & Lo: House on these Subjects, And Hope They will meet your Lordship's Approbation, thò they Could not Have the Desired effect upon the present Dispositions of the Lower House who Could not be prevailed with, Either to Vote a Greater sume for the Indian Treaty than £300 sterl, or forme any other bill for provision of Arms &c Than of the same Impost with Those of the former Sessions, (Except that the 3^s was increased to 4^s) But which the Upper House now as then rejected: Your Lordship has Here inclosed a Copy of that Bill, with some of my remarks, for Your Lordship's Consideration, In Case Your Lordship should think it adviseable to make Any Step in that affair with the Ministry, Either on the foot of Our Address to His Maj^{ty} Complaining of the Behaviour of the Lo: Ho: or Otherwise. I now send a Copy of That Address: The Originall your Lordship will Have from the Govern^r as soon as it Can be prepared & signed by the severall members of the Councill. The Lower House was so far from any willingness to promote a Good Treaty of Peace & Amity with the Indians at this Criticall & Dangerous time by a Larger allowance for that purpose, That they indeavoured Even to restrain or rather Explain away the unlimited declaration they had made by their Address in the last Session for Discharge of the Comiss^{rs} Expences; But which your Lordship will perceive The Governour by His Message would not admitt: In Consequence of this Conduct from the Lower House The Upper House refused to pass the bills for an Agent, Officers fees, Replevin in the County Courts Inlarging the Jurisdiction of the County Courts, Assizes, And the Levy bill And although hear 30 bills are passed into Laws, I know not One of Them more then Ordinary desireable by the Lower House or Can be said in any degree a favourite, but rather indifferent

M^r Charles Carroll in the Late Gov^{rs} time procured the passage of a Bill in the Lo: Ho: for making good a Defective Deed, But which was refused by the Upper House, After which He prosecuted a Suit in Chancery ag^t His Heir at Law, where a Decree was pronounced by M^r Ogle And still in force Against Him for want of Equity; Nothwithstanding This M^r Carroll applied this session to

Calvert
Paper
No. 1109 the Lo: Ho: who passed Another Bill, And which to my very great astonishment, And without precedent, was passed by the Upper House (None but M^r Plater & my self publickly opposing it) But the Governor with a spirit & Resolution becoming Your Lordship's Representative, refused the seales & His assent: He also denied any Account to the Lo: House of the Amount of the 12^s & Tonnage who Addressed Him for that purpose.

The Lower House Has by Address to the Gov^r offer'd 2^s..6^d sterl^t p hhd. in lieu of Your Lordship's Quit rents Exclusive of the Alienation fines: should Your Lordship Hearken to any proposall of this kind; I submit, whether it may not be more Eligible to take a Certain Summe And Have the paym^t properly secured, Especially as it is in time of War, And that the Countrey may not be prevented by an Agreem^t with Your Lordship from putting their trade under Regulations, If they should Hereafter think it Expedient, thò at present They do not seem to Entertain Any thoughts of it: Whether your Lordship will Judge it proper to make use of Those Overtures for any other Purpose than a Composition for the Quit rents, I must Submit to your Lordship's Consideration & Directions, which I Hope will be as Explicite as possible.

Upon M^r Dulany's Unwillingness to attend the Indian Treaty I was injoyned by the Governour to that Service, which I undertake purely, That I may not Appear backward in Any Instances where Your Lordships Honour & Interest are Concerned: For I am truely sensible not Only of my own Unfitness, but of the Difficultys which may occur from the Criticall Times, which no Doubt will Drive the French to sollicit & Ingage by Every Method the Indian Friendship: This will give the Indians a Handle to insist (If they Treat with us at all) on a Greater Sums than what is allotted by the Assembly, or that Can be Discharged at present perhaps without your Lordships assistance: But after all If we should meet, we must not part upon bad Terms: The Event of this Treaty may be of such Consequence as to draw the Indians in junction wth the French not only on our Borders, but on those of His Maj^{ty}s other Dominions in America on the Continent. This, Virginia & Pensylvania are so Aware of, That The Virg^a Comiss^{rs} are now at Philadelphia ready for the Treaty, And the Governour of Philadelphia designs to attend it, In order to forme a Defensive Allyance, If it Can be effected; But perhaps we may find the Indians so Averse in this point as that a strict neutrality may be the Only Thing they will Concede to. Your Lordship will by the Papers Inclosed perceive What the Govern^r urged to prove an obligation on the Lower House to raise & make good what money may be necessary; And the strength of what He says is so undeniable, As must Condemn the Lo: Ho: If they should not Comply; But I Have so Little Hopes of their Doing what is their Duty, or may be Reasonably expected in this And the Other Affair of Arms & Ammunition, That I should be pleased If your Lordship, Upon our Address & the Be-

haviour of the Lo: House, or from the Generall necessity of taking Care of the Plantations on this Continent, Could Occasion any measures to be taken by the ministry or Parliam^t In order to Inforce Every plantation to make proper provision for their Own Safety, However I should think If our Lordship might, at least, procure the same Representation from the Board of Trade and order thereon as was made on Govern^r Thomas's Remonstrance of the Defenceless state of that province.

It may be proper to Apprise Your Lordship, That the Instructions Here inclosed of the Lo: Ho: And which occasioned the Govern^{rs} Message, Came to our knowledge in a meeting Had by M^r Thomas & Myself with the Gentⁿ appointed by the Lo: House.

Since writing the Above, The Govern^r Acquaints me with His Intentions of sending to your Lordship by this Conveyance Copys of what I Had prepared for the same purpose; I presume to referr your Lordship to what your Lordship will now receive from Him. And reserve mine for another opportunity, which May provide against An Accident of Miscarriage: Only I now trouble your Lordship with a Copy of the Bill for Arms &c. And my remarks thereon, together with a Copy of the Lo: Ho: Address to the King.

Your Lordship will Upon the whole furnish us with proper Instructions, as well with regard to a Law for supply of Arms &c as to the Holding of an Assembly, which by their present Temper cannot be necessary oftener (in my opinion) than Once in Two years, unless some Exigence in the Affairs of the war should require a meeting sooner.

I hope your Lordship will be thoroughly Satisfyed by the Govern^{rs} Message & other proceedings, I Have no other View but of Acting for the best, & agreeable to Your Lordship's pleasure, as far as I can be informed of it, And That I am not so fond of my Advice & opinion, as not to disregard them, when your Lordship commands your Affairs to be otherwise conducted. I am My Lord
Your Lordships Most obliged & Ever faithful Humble Servant

Edm: Jennings

Last night An Express from the Gov^r of New York brought us The Declaration of War, and an Acco^t that the French Had taken a burnt Canoe in Nova Scotia. The Indians are upon the Road to the place of Treaty.

Sir,

When I writ to you about the form of the letters Testamentary, I had only seen the Affidavits Indorsed on the copy of the will, but when I saw the letters themselves, I found them very Regular.

Nothing cou'd give me greater uneasiness than being under his Lordships displeasure, as I am under all the ties of Honour and Gratitude to promote his Interest on every occasion to the utmost of my power.

Calvert
Paper
No. 1109

Calvert
Paper -
No. 1111

Calvert
Paper
No. 1111

As to the town land it is Impossible any possession can be more full and Ample than his Lordship is, of which I have writ as particularly as I cou'd in Several letters to my Lord, and flatter myself that I have represented the thing in such a light as will be satisfactory to him. Pray present my duty to his Lordship and believe me to be

S^r Y^r most humble Servant

Annapolis June 14. 1744

D Dulany

M^r [J.] Browning

Calvert
Paper
No. 1115

My Lord

Last night I returned from the Indian Treaty to which I Had been Comissioned together with M^r Thomas King Colville instead of M^r Dulany. I now inclose a Copy of the Treaty made with Them concerning the Lands: Our first Proposall & Hopes were to procure a Disclaimer of Their Right to *All The Lands in this Province*: This we might Have obtained, Had the Treaty been in any other place than the province of Pensylvania (fixed by Col Gale) where we Had the Insinuations & Ill offices of a whole Countrey to ward against: Nor were They wanting, by what we Could Judge from their open Conversations & the Indians behaviour, in their practices; Since The Indians not only receded from their first Inclinations to an Agreement with us on our own Terms, but even stopt short in the Very Act of signing That which we Have made, after Twelve Had Executed it; This was publickly approved by M^r Logans son, who was sent thither by His Father, with a recommendation to the Indians, That He would take Care of Their Interests, since He Could not be there Himself.

As I might tire Your Lordships with the severall Steps & difficultys we met with, I shall only now Say, That in Spite of Every Effort Against us, We Hope our Treaty, will as fully answer your Lordship's purposes, as If it Had been in the very Terms of Our first offer, Since the future as well as the present possessions in every part of the province as well without as within the Limitts are taken Care of, so as not to be Disturbed by the Six Nations: should They hereafter Attempt to Act Contrary to the Words of the Treaty, It would be a Casus Federis, And put such a Rupture on a Quite different foot from what it is pretended Their Claim of Land is: It must be the Country's Quarrell, And not the prop̄rys Dispute about Lands.

We Have purchased This Treaty for the Lands by a Present of 300^l Pensylvania Money, And the Treaty of peace for 100^l So that the whole Sume of 400^{ls} Is 100 Pensylva Money less than the Sume of 300^{ls} Sterl allotted by the Assembly: By this means we shall be under no Imbarrasement in the payment.

On our Treaty of Peace, The Indians assured The Three Governments of Maryland Virga & Pensyla. of their Resolution to Hinder the French from making any Attempt against the English: The

Govern^r of Pensylva. attended The Treaty, we Received many personall Civilitys from Him, But I am not sensible He did these Good Offices I am satisfyed He might by His Influence with the Indians.

Calvert
Paper
No. 1115

I shall Hereafter trouble Your Lordship with a particular detail of Our whole negotiation, But I Have only the Opportunity now of saying thus much. And that I am My Lord

Your Lordships most obliged & Faithfull H^ble serv^t

Edm: Jenings

Annapolis July 8. 1744.

P. S. I forgot to Address Your Lordship by the Indian Name To Gary Hogan Given at this treaty to the Gov^r of Maryland He never Had One before, And Every Other Governour of these neighbouring plantations Have one. The meaning Is *President, Chief or Eldest* It is the Highest Title of Honour The six Nations Have: For their Governour or Union are not Conducted by Kings but Councils.

My Lord

Annapolis 12 July 1744

Calvert
Paper
No. 1118

I wrote by Cap^t Grindall the 4th past by whome I sent 68 Bills of Exch: amounting to £1044..19..5 w^{ch} I wish may have escaped all danger & be got safe, I shal not venture to send the 2^d Bills 'til I have an oppertunity of a Man of War w^{ch} I shal depend will see the Fleets home and I pray Your Lordship will have a favourable opinion of me, when I depend it is for the best; wth the Man of War I shal also send all other Bills & Acc^{ts} Our Com^{missioners} from the Indians are returned having finished the Treatie w^{ch} has Cost about £440 Ster^l and w^{ch} has fully taken the Bal^a on the 3rd for Arms.

As I suppose the Com^{rs} from Our House will give a full Acc^t of their proceedings I shal refer to them & only add that I am

My Lord Your Lordships Mo: Obedient

& Mo: faithful Servant

Benj^a Tasker.

My Lord

Since my Last on the 22^d of Last month, advising Your Lordship of M^r Rousby's death; The Governour Has been pleased to nominate me to supply That Vacancy, till further directions from the Treasury.

Calvert
Paper
No. 1121

I can only urge a Constant unshaken Sincerity of Zeall & Earnestness in Your Lordship's Service, As a foundation for my Hopes of your Lordship's Continuance in those kind Dispositions Your Lordship was pleased to Assure me of, with respect to That Place; And I Doubt not but my Real Conformity last Session to your Lordship's directions, as well as our Successfull negotiation with the Indians (To w^{ch} I was appointed instead of M^r Dulany And severall Copys of the Treaty Have been transmitted by severall Conveyances to your Lordship by me) must take away every possible Surmise, That I never Could or Can Have Any other View, than Your Lordships Honour & Interest, However I may Have been mistaken in Any points of Your Lordships Commands or my own judgement.

Calvert
Paper
No. 1121

Your Lordship will be pleased to appoint To whom I shall make the Annuall paym^t of 100^{ts} sterl for the future for the Sec^{rys} place; And which your Lordship's never to be forgotten Goodness bounty dispensed with, till This Post should fall to Enable me

By the best Information, I can get at present, The Fees of this Coll^{pp} Amount to ab^t 250^t of this Currency after payment of Two Deputys, besides a Salary of about 60^t or 80^t payable in England, so that the whole may amount to about 260^t sterl. But This Calculation was made in Times of peace, which must be much lessened in War.

May Health Honour & Happiness Attend Your Lordships Family,
Is the Earnest wish of

My Lord

Your Lordship's most obliged & Faithfull Hble Serv^t

Edm: Jenings

Annapolis Aug. 28, Sept 3. 1744

Calvert
Paper
No. 404

To The right Hon^{ble} the Lord Baltimore, Lord Absolute Proprietor of Maryland

The humble Petition of the Minister Vestrymen and Church wardens of Shrewsbury parish in Kent County in the province aforesaid Sheweth

That whereas Two Acres of Land was many years ago given by M^r Edw^d Blay, thereon to build a Church for the use of this parish, being part of a Tract of Land lying on Sassafrass river, which the said Edw^d Blay held at that time by virtue of a Grant from one of your Lordships most hon^{ble} Ancestors And whereas we Your Lordships petitioners are informed that the said Grant, as to its limited time, has been some years expired, we therefore conclude that our right to said two Acres by virtue of Edw^d Blays Gift, must necessarily Cease, and as by the late resurvey of your Lordships Mannor in this County, the part of Blays tract in which the Church stands has actually fallen into the said Mannor, and the heirs of said Blay refuse to take up said tract as mannor land We therefore Your Lordships petitioners do in Behalf of this parish beseech your Lordship out of the great regard which your Lordship bears to the temporal and eternal welfare of the good people of your Lordships province of Maryland, that you would be pleased to Grant and Continue the said two Acres to this parish for so long a time and on such terms as your Lordship in your great wisdom and goodness shall think fit, and that your Lordship wou^d please to order the Agent to make out proper Grants to said intent. And your Lordships petitioners as in duty bound shall ever pray

Christopher Hall
Griffith Jones
Cornel^o Comegys
Christopher Bellican
Henry Lovelock
John Wallace

} Vestrymen

George William Forester
Rector of Shrewsbury parish

John Gleaves } Church
James Woodland } Wardens

My Lord

Nov^r 8th 1744Calvert
Paper
No. 1126

I Had the Honour of your Lordship's Letter of the second of June by the Baltimore, on the 23^d instant, wherein your Lordship is pleased to make no doubt of such a Compliance with your Lordship's Sentiments lately made known to me, As that your Lordship may Have no reason to suspect my good intentions.

I Desire, my Lord, no better Test of my sincerity, And I Hope my Conduct Last Sessions will prove beyond Every possible Surmise, That If ever I should seem to Have acted or advised contrary to your Lordships pleasure or Interest, It was wholly owing to my Misconception of them, And not to the Least Deviation from my principle of Gratitude & integrity, towards your Lordship, which could only Characterise me with want of Comon Sense or Comon Honesty, & perhaps both.

As your Lordship would not Have any bill for provision of Arms passed Inconsistent with the usuall way of issuing the money by the Govern^r & Councill, I shall for my part observe your Lordships Comands

Your Lordship Is pleased to inquire, why the Levy bill was passed by the Govern^r in the first Sessions after the Refusall of the 3^d for Arms, by the Lo: Ho: I beg leave to acquaint Your Lordship, That Bill of 12000 & odd pounds was passed imediately on opening the Session by the advice of Every One (Except my self) previous to any other Business, on a pretence of necessity that the Sheriffs might Compleat their Collections: But As I Had not the least Share in advising but absolutely against that passage, till I Heard of Your Lordships permission, I am Sure your Lordship will not think me accountable: I will not say, which of Your Lordships friends Had their own interest Concerned; But I can truly avow, I Had not, For I even avoided putting in my Claim of fees which the Upper House in the Last Session of the Late Governour Had referred to Another Session: The First Passage of That Bill was such a Mistaken Peice of Policy in more than One Respect, That this Government must for sometime in all probability feel the effects of it.

I am truely rejoiced, If M^r Soll^r Murray entertains a different opinion from what He Expressed on Your Lordships Consultation with Him, and the Late Soll^r. And Although I then told Your Lordship I could not see That affair in so strong a Light, agst your Lordship as He did, yet your Lordships deference to His judgement occasioned the Instructions then given.

I Hope Your Lordship Has received Our Treaty with the Indians, And that it meets with your Lordships Approbation, More Especially, as the Virginia Assembly absolutely refused Last month to advance or Contribute one farthing on Account of Their Treaty; By which means The whole Expençe is to be defrayed out of the Quit rent Revenue in that Colony.

Calvert
Paper
No. 1126 As the present Assembly is to be dissolved, And the writts return-
able to next May, I Hope for your Lordship's Express pleasure,
whether The Assembly must Then sit; I must own my opinion
against it. I am My Lord

Your Lordships Most obliged & Ever Faithfull & Dutyfull Sery^t

Anapolis Nov^r 17. 1744

Edm: Jenings

P. S. The 50000^l Tob^o is ordered by the Gov^r & Council to be
Levyed towards defraying the Expences occasioned by the Indian
Conspiracy, w^{ch} the Lo: Ho: refused to Discharge.

Calvert
Paper
No. 1131 My Lord

I Did myself the Honour of answering Your Lordship's of the
2^d June by Duplicates of the 17th instant sent by severall Convey-
ances.

My earnestness to act agreeable to your Lordship's Pleasure In-
gages me to trouble Your Lordship on Points, which perhaps may
never Happen, In order That I may be apprized of your Lordship's
resolution, In case They should be stirred.

It is with this view, That I now mention the Governour's House:
The walls are built, the Roof is on & Covered; But the Money al-
lotted, is so greatly deficient, That the Governour has already ex-
pended a Considerable Summe out of His own Pockett: Should The
Assembly be inclinable to reimburse The Govern^r and finish the
House by a Continuance of the ordinary Licence (which is now ap-
propriated to replace the money advanced for our Forces sent to the
West Indies) for y^r purpose only, Must we agree to it?

I Hope to receive as soon as possible (agreeable to my late Let-
ters) Your Lordship's Directions as to the Sitting of the Assembly,
which is to meet The 1st Tuesday of next May. I am My Lord

Your Lordships Most obliged & Faithfull H^ble servant

Anapolis Dec^r 3. 1744

Edm: Jenings

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Words marked with a star are names of tracts of land in Maryland. No entry is made of references of a purely formal nature as to the Lord Proprietary, the King of England, the Governor of the Province, the Speaker of the Lower House, the Clerks of the two Houses of Assembly, or the Seat of Government. The Session of July 7, 1740, occupies pages 1 to 150, that of May 26, 1741, pages 151 to 264, that of September 21, 1742, pages 265 to 445, that of May 1, 1744, pages 447 to 646. The appendix comprises pages 647 to 672.

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